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INSTITUTES

OF

HINDU LAW:

OR,

THE ORDINANCES OF MENU,

ACCORDING TO THE

GLOSS OF CULLÚCA.

COMPRISING THE

INDIAN SYSTEM OF DUTIES,

RELIGIOUS AND CIVIL.

VERBALLY TRANSLATED FROM THE ORIGINAL, WITH A PREFACE,

BY SIR WILLIAM JONES.

A NEW EDITION,

COLLATED WITH THE SANSCRIT TEXT, AND ELUCIDATED WITH NOTES,

BY

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ADVERTISEMENT.

HAVING been for some time engaged in preparing the Institutes of Menu for publication in the Sanscrit language, it appeared to me, that as Sir WILLIAM JONES's translation had been long out of print, a new edition would not only be acceptable to the publick at large, but more especially to those engaged in the study of the Sanscrit language, as the great difficulty of the original text made some help of the kind indispensable. In consequence the version of the learned translator has been carefully revised and compared; and as variations, though of trifling importance, have been discovered, they have been carefully recorded at the end of the work. The discrepancies in question may have arisen from some variety in the readings of the manuscripts consulted by Sir WILLIAM JONES. It appeared, however, advisable to take some notice of those which seemed of most importance to the Sanscrit student. The learned translator intended, as he has stated in his Preface, to mark by *Italick* letters all that he

had

had borrowed from the Commentators on Menu, and to print the text of his author in *Roman* letters; an arrangement that was intended to afford the reader a precise idea of the original work. It will easily be understood by persons accustomed to the preparation of works for the press, that a rule like this would be occasionally forgotten. And indeed it has sometimes, though rarely, occurred, that passages have been printed in Italick that should have been put in Roman letters. Every attention has therefore been paid to fulfil the translator's intentions, and the reader may be certain that this singularly interesting record of antiquity is now submitted to him with an exactness and fidelity not attained in the former editions. But it is fair to state, that the first and twelfth books are those which are least literal: this is more particularly the case with the latter. The peculiarity of the doctrines contained in these books will account for the fact, and at the same time explain the difficulty the learned translator laboured under in conveying ideas so novel in their nature to the English reader. When, however, the probable antiquity of the original work, and the occasional obscurity of some of its texts, are considered, it must be conceded, that the translator has been generally happy in his interpretation. The great celebrity which has attended the work since

since its first appearance in England, encourages a hope that its republication will meet the approbation of those, who, though unacquainted with Oriental literature, take an interest in whatever regards the history of the human mind, and the progress of civilization, to which European nations are under so many obligations.

G. C. HAUGHTON.

East-India College, Herts,
6th Jan. 1825.

PREFACE

BY

SIR WILLIAM JONES.

It is a maxim in the science of legislation and government, that *Laws are of no avail without manners*, or, to explain the sentence more fully, that the best intended legislative provisions would have no beneficial effect even at first, and none at all in a short course of time, unless they were congenial to the disposition and habits, to the religious prejudices, and approved immemorial usages of the people for whom they were enacted; especially if that people universally and sincerely believed, that all their ancient usages and established rules of conduct had the sanction of an actual revelation from heaven: the legislature of *Britain* having shown, in compliance with this maxim, an intention to leave the natives of these *Indian* provinces in possession of their own Laws, at least on the titles of *contracts* and *inheritances*, we may humbly presume, that all future provisions, for the

administration

administration of justice and government in *India*, will be conformable, as far as the natives are affected by them, to the manners and opinions of the natives themselves; an object, which cannot possibly be attained, until those manners and opinions can be fully and accurately known. These considerations, and a few others more immediately within my province, were my principal motives for wishing to know, and have induced me at length to publish, that system of duties, religious and civil, and of law in all its branches, which the *Hindus* firmly believe to have been promulged in the beginning of time by MENU, son or grandson of BRAHMA', or, in plain language, the first of created beings, and not the oldest only, but the holiest, of legislators; a system so comprehensive and so minutely exact, that it may be considered as the *Institutes* of *Hindu* Law, preparatory to the copious *Digest*, which has lately been compiled by *Pandits* of eminent learning, and introductory perhaps to a *Code*, which may supply the many natural defects in the old jurisprudence of this country, and, without any deviation from its principles, accommodate it justly to the improvements of a commercial age.

We are lost in an inextricable labyrinth of imaginary astronomical cycles, *Yugas*, *Mahâyugas*, *Calpas*, and *Menwantaras*, in attempting to calculate the time, when the first

first MENU, according to the *Bráhmens*, governed this world, and became the progenitor of mankind, who from him are called *Mánaváh;* nor can we, so clouded are the old history and chronology of *India* with fables and allegories, ascertain the precise age, when the work, now presented to the Publick, was actually composed; but we are in possession of some evidence, partly extrinsick and partly internal, that it is really one of the oldest compositions existing. From a text of PARA'SARA, discovered by Mr. DAVIS, it appears, that the vernal equinox had gone back from the *tenth* degree of *Bharaǹì* to the *first* of *Aswinì*, or *twenty-three degrees and twenty minutes*, between the days of that *Indian* philosopher, and the year of our Lord 499, when it coincided with the origin of the *Hindu* ecliptick; so that PARA'SARA probably flourished near the close of the *twelfth* century before CHRIST: now PARA'SARA was the grandson of another sage, named VA'SISHT'HA, who is often mentioned in the laws of MENU, and once as contemporary with the divine BHRIGU himself; but the character of BHRIGU, and the whole dramatical arrangement of the book before us, are clearly fictitious and ornamental, with a design, too common among ancient lawgivers, of stamping authority on the work by the introduction of supernatural personages, though VA'SISHT'HA may have lived

many generations before the actual writer of it; who names him, indeed, in one or two places, as a philosopher in an earlier period. The style, however, and metre of this work (which there is not the smallest reason to think affectedly obsolete) are widely different from the language and metrical rules of CA'LIDA'S, who unquestionably wrote before the beginning of our era; and the dialect of MENU is even observed, in many passages, to resemble that of the *Véda*, particularly in a departure from the more modern grammatical forms; whence it must at first view seem very probable, that the laws, now brought to light, were considerably older than those of SOLON or even of LYCURGUS, although the promulgation of them, before they were reduced to writing, might have been coeval with the first monarchies established in *Egypt* or *Asia:* but, having had the singular good fortune to procure ancient copies of eleven *Upanishads*, with a very perspicuous comment, I am enabled to fix with more exactness the probable age of the work before us, and even to limit its highest possible age, by a mode of reasoning, which may be thought new, but will be found, I persuade myself, satisfactory; if the Publick shall on this occasion give me credit for a few very curious facts, which, though capable of strict proof, can at present be only asserted. The *Sanscrit* of the three

three first *Védas* (I need not here speak of the fourth), that of the *Mánava Dherma Sástra*, and that of the *Purános*, differ from each other in pretty exact proportion to the *Latin* of NUMA, from whose laws entire sentences are preserved, that of APPIUS, which we see in the fragments of the Twelve Tables, and that of CICERO, or of LUCRETIUS, where he has not affected an obsolete style: if the several changes, therefore, of *Sanscrit* and *Latin* took place, as we may fairly assume, in times very nearly proportional, the *Védas* must have been written about 300 years before these Institutes, and about 600 before the *Purónas* and *Itihásas*, which, I am fully convinced, were not the productions of VYA'SA; so that, if the son of PARA'SARA committed the traditional *Védas* to writing in the *Sanscrit* of his father's time, the original of this book must have received its present form about 880 years before CHRIST's birth. If the texts, indeed, which VYA'SA collected, had been actually *written*, in a much older dialect, by the sages preceding him, we must inquire into the greatest possible age of the *Védas* themselves: now one of the longest and finest *Upanishads* in the second *Véda* contains three lists, in a regular series upwards, of at most *forty-two* pupils and preceptors, who successively received and transmitted (probably by oral tradition) the

doctrines contained in that *Upanishad;* and as the old *Indian* priests were students at *fifteen*, and instructors at *twenty-five*, we cannot allow more than *ten* years, on an average, for each interval between the respective traditions; whence, as there are *forty* such intervals, in two of the lists, between Vya'sa, who arranged the whole work, and Aya'sa, who is extolled at the beginning of it, and just as many, in the third list, between the compiler and Ya'jnyawalcya, who makes the principal figure in it, we find the highest age of the *Yajur Véda* to be 1580 years before the birth of our Saviour, (which would make it older than the five books of Moses) and that of our *Indian* law tract about 1280 years before the same epoch. The former date, however, seems the more probable of the two, because the *Hindu* sages are said to have delivered their knowledge orally, and the very word *Sruta*, which we often see used for the *Véda* itself, means *what was heard;* not to insist, that Cullu'ca expressly declares the sense of the *Véda* to be conveyed in the *language* of Vya'sa. Whether Menu or Menus in the nominative and Meno's in an oblique case, was the same personage with Minos, let others determine; but he must indubitably have been far older than the work, which contains his laws, and, though perhaps he was never in *Crete*, yet some of his institutions

tions may well have been adopted in that island, whence LYCURGUS, a century or two afterwards, may have imported them to *Sparta*.

There is certainly a strong resemblance, though obscured and faded by time, between our MENU with his divine Bull, whom he names as DHERMA himself, or the genius of abstract justice, and the MNEUES of *Egypt* with his companion or symbol, *Apis;* and, though we should be constantly on our guard against the delusion of etymological conjecture, yet we cannot but admit that MINOS and MNEUES, or *Mneuis*, have only *Greek* terminations, but that the crude noun is composed of the same radical letters both in *Greek* and in *Sanscrit*. ' That APIS and MNEUIS, ' says the Analyst of ancient Mythology, ' were both representations of some per-' sonage, appears from the testimony of LYCOPHRON and ' his scholiast; and that personage was the same, who ' in *Crete* was styled MINOS. and who was also repre-' sented under the emblem of the *Minotaur:* DIODORUS, ' who confines him to *Egypt*, speaks of him by the ' title of the bull *Mneuis*, as the first lawgiver, and says, " That he lived after the age of the gods and heroes, " when a change was made in the manner of life among " men; that he was a man of a most exalted soul, and " a great promoter of civil society, which he benefited

" by

" by his laws; and those laws were unwritten, and re-
" ceived by him from the chief *Egyptian* deity HERMES,
" who conferred them on the world as a gift of the high-
" est importance." He was the same, adds my learned
' friend, with MENES, whom the *Egyptians* represented
' as their first king and principal benefactor, who first
' sacrificed to the gods, and brought about a great change
' in diet.' If MINOS, the son of JUPITER, whom the *Cretans*, from national vanity, might have made a native of their own island, was really the same person with MENU, the son of BRAHMA', we have the good fortune to restore, by means of *Indian* literature, the most celebrated system of heathen jurisprudence, and this work might have been entitled *The Laws of* MINOS; but the paradox is too singular to be confidently asserted, and the geographical part of the book, with most of the allusions to natural history, must indubitably have been written after the *Hindu* race had settled to the south of *Himálaya*. We cannot but remark that the word MENU has no relation whatever to the *Moon;* and that it was the *seventh*, not the *first*, of that name, whom the *Bráhmens* believe to have been preserved in an ark from the general deluge: him they call the *Child of the Sun*, to distinguish him from our legislator; but they assign to his brother YAMA *the office* (which the *Greeks* were pleased

pleased to confer on MINOS) *of Judge in the shades below.*

The name of MENU is clearly derived (like *menes*, *mens*, and *mind*) from the root *men* to *understand;* and it signifies, as all the *Pandits* agree, *intelligent*, particularly in the doctrines of the *Véda*, which the composer of our *Dherma Sástra* must have studied very diligently; since great numbers of its texts, changed only in a few syllables for the sake of the measure, are interspersed through the work and cited at length in the commentaries: the Publick may, therefore, assure themselves, that they now possess a considerable part of the *Hindu* scripture, without the dullness of its profane ritual or much of its mystical jargon. DA'RA SHUCU'H was persuaded, and not without sound reason, that the first MENU of the *Bráhmens* could be no other person than the progenitor of mankind, to whom *Jews, Christians*, and *Muselmáns* unite in giving the name of ADAM; but, whoever he might have been, he is highly honoured by name in the *Véda* itself, where it is declared, that 'whatever MENU pronounced, was a medicine for the soul;' and the sage VRIHASPETI, now supposed to preside over the planet *Jupiter*, says in his own law tract, that 'MENU held the first rank among legislators, because he had expressed in his code the whole sense of the *Véda;*

'that

'that no code was approved, which contradicted MENU; 'that other *Sástras*, and treatises on grammar or logick, 'retained splendour so long only, as MENU, who taught 'the way to just wealth, to virtue, and to final happiness, 'was not seen in competition with them;' VYA'SA too, the son of PARA'SARA before mentioned, has decided, that 'the *Véda* with its *Angas*, or the six compositions de-'duced from it, the revealed system of medicine, the '*Purànas*, or sacred histories, and the code of MENU, 'were four works of supreme authority, which ought 'never to be shaken by arguments merely human.'

It is the general opinion of *Pandits*, that BRAHMA' taught his laws to MENU in a *hundred thousand verses*, which MENU explained to the primitive world in the very words of the book now translated, where he names himself, after the manner of ancient sages, in the third person; but, in a short preface to the law tract of NA'RED, it is asserted, that 'MENU, having written the laws of 'BRAHMA' in a hundred thousand *slócas* or couplets, 'arranged under *twenty-four* heads in a *thousand* chap-'ters, delivered the work to NA'RED, the sage among 'gods, who abridged it, for the use of mankind, in '*twelve thousand* verses, and gave them to a son of 'BHRIGU, named SUMATI, who, for greater ease to the 'human race, reduced them to *four thousand;* that mor-

'tals

'tals read only the second abridgement by SUMATI, 'while the gods of the lower heaven, and the band of 'celestial musicians, are engaged in studying the pri- 'mary code, beginning with the fifth verse, a little 'varied, of the work now extant on earth; but that 'nothing remains of NA'RED's abridgement, except an 'elegant epitome of the *ninth* original title *on the ad- 'ministration of justice.'* Now, since these institutes consist only of *two thousand six hundred* and *eighty five* verses, they cannot be the whole work ascribed to SUMATI, which is probably distinguished by the name of the *Vrĭdd'ha*, or ancient, *Mánava*, and cannot be found entire; though several passages from it, which have been preserved by tradition, are occasionally cited in the new digest.

A number of glosses or comments on MENU were composed by the *Munis*, or old philosophers, whose treatises, together with that before us, constitute the *Dherma Sástra*, in a collective sense, or *Body of Law;* among the more modern commentaries, that called *Médhátit'hi,* that by GO'VINDARA'JA, and that by DHARANI'-DHERA, were once in the greatest repute; but the first was reckoned prolix and unequal; the second, concise but obscure; and the third, often erroneous. At length appeared CULLU'CA BHATTA; who, after a painful course

of study and the collation of numerous manuscripts, produced a work, of which it may, perhaps, be said very truly, that it is the shortest, yet the most luminous, the least ostentatious, yet the most learned, the deepest, yet the most agreeable, commentary ever composed on any author ancient or modern, *European* or *Asiatick*. The *Pandits* care so little for genuine chronology, that none of them can tell me the age of CULLU'CA, whom they always name with applause; but he informs us himself, that he was a *Bráhmen* of the *Váréndra* tribe, whose family had been long settled in *Gaur* or *Bengal*, but that he had chosen his residence among the learned on the banks of the holy river at *Cási*. His text and interpretation I have almost implicitly followed, though I had myself collated many copies of MENU, and among them a manuscript of a very ancient date: his gloss is here printed in *Italicks*; and any reader, who may choose to pass it over as if unprinted, will have in *Roman* letters an exact version of the original, and may form some idea of its character and structure, as well as of the *Sanscrit* idiom, which must necessarily be preserved in a verbal translation; and a translation, not scrupulously verbal, would have been highly improper in a work on so delicate and momentous a subject as private and criminal jurisprudence.

Should

Should a series of *Bráhmens* omit, for three generations, the reading of MENU, their sacerdotal class, as all the *Pandits* assure me, would in strictness be forfeited; but they must explain it only to their pupils of the three highest classes; and the *Bráhmen*, who read it with me, requested most earnestly, that his name might be concealed; nor would he have read it for any consideration on a forbidden day of the moon, or without the ceremonies prescribed in the second and fourth chapters for a lecture on the *Véda:* so great, indeed, is the idea of sanctity annexed to this book, that, when the chief native magistrate at *Banares* endeavoured, at my request, to procure a *Persian* translation of it, before I had a hope of being at any time able to understand the original, the *Pandits* of his court unanimously and positively refused to assist in the work; nor should I have procured it at all, if a wealthy *Hindu* at *Gayà* had not caused the version to be made by some of his dependants, at the desire of my friend Mr. LAW. The *Persian* translation of MENU, like all others from the *Sanscrit* into that language, is a rude intermixture of the text, loosely rendered, with some old or new comment, and often with the crude notions of the translator; and, though it expresses the general sense of the original,

 yet

yet it swarms with errours, imputable partly to haste, and partly to ignorance: thus where MENU says, *that emissaries are the eyes of a prince*, the *Persian* phrase makes him ascribe *four eyes* to the person of a king; for the word *chár*, which means *an emissary* in *Sanscrit*, signifies *four* in the popular dialect.

The work, now presented to the *European* world, contains abundance of curious matter extremely interesting both to speculative lawyers and antiquaries, with many beauties, which need not be pointed out, and with many blemishes, which cannot be justified or palliated. It is a system of despotism and priestcraft, both indeed limited by law, but artfully conspiring to give mutual support, though with mutual checks; it is filled with strange conceits in metaphysicks and natural philosophy, with idle superstitions, and with a scheme of theology most obscurely figurative, and consequently liable to dangerous misconception; it abounds with minute and childish formalities, with ceremonies generally absurd and often ridiculous; the punishments are partial and fanciful; for some crimes, dreadfully cruel, for others reprehensibly slight; and the very morals, though rigid enough on the whole, are in one or two instances (as in the case of light oaths and of pious perjury) unaccountably

countably relaxed: nevertheless, a spirit of sublime devotion, of benevolence to mankind, and of amiable tenderness to all sentient creatures, pervades the whole work; the style of it has a certain austere majesty, that sounds like the language of legislation and extorts a respectful awe; the sentiments of independence on all beings but God, and the harsh admonitions even to kings, are truly noble; and the many panegyricks on the *Gáyatrì*, the *Mother*, as it is called, of the *Véda*, prove the author to have *adored* (not the visible material *sun*, but) *that divine and incomparably greater light*, to use the words of the most venerable text in the *Indian* scripture, *which illumines all, delights all, from which all proceed, to which all must return, and which alone can irradiate* (not our visual organs merely, but our souls and) *our intellects*. Whatever opinion in short may be formed of Menu and his laws, in a country happily enlightened by sound philosophy and the only true revelation, it must be remembered, that those laws are actually revered, as the word of the Most High, by nations of great importance to the political and commercial interests of *Europe*, and particularly by many millions of *Hindu* subjects, whose well directed industry would add largely to the wealth of *Britain*, and who ask no more in return than protection

protection for their persons and places of abode, justice in their temporal concerns, indulgence to the prejudices of their old religion, and the benefit of those laws, which they have been taught to believe sacred, and which alone they can possibly comprehend.

W. JONES.

TO

THE KING.

SIRE:

A COURSE of events, unparalleled in the history of mankind, has placed, among the subjects of the British Empire, a people renowned from the remotest antiquity for wisdom, civilization, and steadfast adherence to their peculiar religious opinions.

The INSTITUTES OF MENU are not only revered by this unvarying race of men, as they were by their primeval forefathers, but have moreover contributed to preserve, in pristine force, opinions, usages, and manners, which, by a law that reverses in the moral, what is observed in the material world, have only grown the stronger by the use of ages.

DEDICATION.

Security of life and property, and toleration of opinions, which are dearer to them than both these objects, are all that is asked by this blameless race of men, in return for willing obedience and devoted attachment to British rule. That an expectation, so reasonable in itself, and so much in harmony with the spirit of your Majesty's reign, will not be disappointed, could scarcely have received a more gracious assurance, than is derived from the permission, vouchsafed by your Majesty, to place your August Name at the head of this ancient Code of Hindu Laws.

That your Majesty may long continue to extend the influence of your happy reign over the British Empire and its Dependencies, is the earnest prayer of

YOUR MAJESTY'S

Most faithful Subject,

and dutiful Servant,

G. C. HAUGHTON.

East-India College, Herts,
20th June 1825.

CONTENTS.

THE

LAWS OF MENU,

SON OF BRAHMÁ.

CHAP. I.

On the Creation; with a Summary of the Contents.

1. MENU *sat* reclined, with his attention fixed on one object, *the Supreme* GOD; *when* the divine Sages approached *him, and,* after mutual salutations in due form, delivered the following address:

2. 'Deign, sovereign ruler, to apprize us of the sa-
'cred laws in their order, as they must be followed by
'all the *four* classes, and by each of them, in their
'several degrees, together with the duties of every
'mixed class;

3. 'For thou, Lord, *and thou* only *among mortals,*
'knowest the true sense, the first principle, *and* the
'prescribed ceremonies, of this universal, supernatural
'*Véda,* unlimited in extent and unequalled in authority.'

4. He,

CHAP. I.

4. HE, whose powers were measureless, being thus requested by the great Sages, whose thoughts were profound, saluted them all with reverence, and gave them a comprehensive answer, *saying:* 'Be it heard!

5. 'This *universe* existed only *in the first divine idea* '*yet unexpanded, as if involved* in darkness, impercep- 'tible, undefinable, undiscoverable by reason, *and* un- 'discovered *by revelation*, as if it were wholly immers- 'ed in sleep:

6. 'Then the *sole* self-existing power, himself undis- 'cerned, but making this world discernible, with five 'elements and other principles *of nature*, appeared with 'undiminished glory, *expanding his idea, or* dispelling 'the gloom.

7. 'HE, whom the mind alone can perceive, whose 'essence eludes the external organs, who has no visible 'parts, who exists from eternity, even HE, the soul of 'all beings, whom no being can comprehend, shone 'forth in person.

8. 'HE, having willed to produce various beings from 'his own divine substance, first with a thought created 'the waters, and placed in them a productive seed:

9. 'The *seed* became an egg bright as gold, blazing 'like the luminary with a thousand beams; and in that 'egg, he was born himself, *in the form of* BRAHMA', 'the great forefather of all spirits.

10. 'The waters are called *nárá*, because they were 'the

‘ the production of NARA, *or the spirit of* GOD; and CHAP. I.
‘ since they were his first *ayana*, or *place of motion*, he
‘ thence is named NA'RA'YANA, or *moving on the waters*.

11. ‘ From THAT WHICH IS, the first cause, not the ‘ object of sense, existing *every where in substance*, not ‘ existing *to our perception*, without beginning or end, ‘ was produced the divine male, famed in all worlds ‘ under the appellation of BRAHMA'.

12. ‘ In that egg the great power sat inactive a whole ‘ year *of the Creator*, at the close of which, by his ‘ thought alone, he caused the egg to divide itself;

13. ‘ And from its two divisions he framed the heaven ‘ *above* and the earth *beneath*: in the midst *he placed* ‘ the subtil ether, the eight regions, and the permanent ‘ receptacle of waters.

14. ‘ From the supreme soul he drew forth Mind, ‘ existing substantially though unperceived by sense, ‘ immaterial; and *before* mind, *or the reasoning power*, ‘ *he produced* consciousness, the internal monitor, the ‘ ruler;

15. ‘ And, *before them both*, he produced the great ‘ *principle of* the soul, *or first expansion of the divine* ‘ *idea;* and all vital forms endued with the three quali- ‘ ties of *goodness, passion*, and *darkness;* and the *five* ‘ perceptions of sense, and the five organs of sensation.

16. ‘ *Thus*, having at once pervaded, with emanations ‘ from the Supreme Spirit, the minutest portions of six

CHAP. I. ' principles immensely operative, *consciousness and the* ' *five perceptions*, He framed all creatures;

17. ' And since the minutest particles of visible na- ' ture have a dependence on those *six* emanations from ' God, the wise have accordingly given the name of ' *s'arîra or depending on six, that is, the ten organs on* ' *consciousness, and the five elements on as many percep-* ' *tions*, to His *image or* appearance in visible nature:

18. ' Thence proceed the great elements, endued with ' peculiar powers, and Mind with operations infinitely ' subtil, the unperishable cause of all apparent forms.

19. ' This *universe*, therefore, is compacted from the ' minute portions of those seven divine and active prin- ' ciples, *the great Soul, or first emanation, consciousness,* ' *and five perceptions; a* mutable *universe* from immuta- ' ble *ideas*.

20. ' Among them each succeeding element acquires ' the quality of the preceding; and, in as many degrees ' as each of them is advanced, with so many properties ' is it said to be endued.

21. ' He too first assigned to all creatures distinct ' names, distinct acts, and distinct occupations; as they ' had been revealed in the pre-existing *Véda*.

22. ' He, the supreme Ruler, created an assemblage ' of inferior Deities, with divine attributes and pure ' souls; and a number of Genii exquisitely delicate; ' and he *prescribed* the sacrifice ordained from the be- ' ginning.

23. ' From

23. 'From fire, from air, and from the sun he milk-'ed out, *as it were*, the three primordial *Vėdas*, named 'Rich, Yajush and *Sáman*, for the due performance of 'the sacrifice. CHAP. I.

24 'He gave being to time and the divisions of time, 'to the stars also, and to the planets, to rivers, oceans, 'and mountains, to level plains, and uneven valleys.

25. 'To devotion, speech, complacency, desire, and 'wrath, and to the creation, *which shall presently be* '*mentioned;* for He willed the existence of all those 'created things.

26. 'For the sake of distinguishing actions, He 'made a total difference between right and wrong, and 'enured these sentient creatures to pleasure and pain, '*cold and heat*, and other opposite pairs.

27. 'With very minute transformable portions, call-'ed *mátrás*, of the five elements, all this *perceptible* '*world* was composed in fit order;

28. 'And in whatever occupation the supreme Lord 'first employed any vital soul, to that occupation the 'same soul attaches itself spontaneously, when it re-'ceives a new body again and again.

29. 'Whatever quality, noxious or innocent, harsh 'or mild, unjust or just, false or true, He conferred 'on any being at its creation, the same quality enters 'it *of course on its future births;*

30. 'As

CHAP. I.

30. 'As the *six* seasons of the year attain respectively their peculiar marks in due time and of their own accord, even so the several acts of each embodied spirit *attend it naturally*.

31. 'That the human race might be multiplied, He caused the *Bráhmen*, the *Cshatriya*, the *Vaisya*, and the *Súdra* (so named from the *scripture*, *protection*, *wealth*, and *labour*) to proceed from his mouth, his arm, his thigh, and his foot.

32. 'Having divided his own substance, the mighty Power became half male, half female, *or nature active and passive*; and from that female he produced VIRA'J:

33. 'Know Me, O most excellent of *Bráhmens*, to be that person, whom the male *power* VIRA'J, having performed austere devotion, produced by himself; Me, the *secondary* framer of all this *visible world*.

34. 'It was I, who, desirous of giving birth to a race of men, performed very difficult religious duties, and first produced ten Lords of created beings, eminent in holiness.

35. 'MARI'CHI, ATRI, ANGIRAS, PULASTYA, PULAHA, CRATU, PRACHE'TAS, or DACSHA, VASISHT'HA, BHRIGU, and NA'RADA:

36. 'They, abundant in glory, produced seven other *Menus*, together with deities, and the mansions of deities, and *Maharshis*, or great Sages, unlimited in power;

' 37. Benevolent

37. ' Benevolent genii, and fierce giants, blood-thirsty ' savages, heavenly quiristers, nymphs and demons, huge ' serpents and snakes of smaller size, birds of mighty ' wing, and separate companies of *Pitrïs*, or progenitors ' of mankind; CHAP. I.

38. ' Lightnings and thunder-bolts, clouds and co-' loured bows of *Indra*, falling meteors, earth-rending ' vapours, comets, and luminaries of various degrees;

39. ' Horse-faced sylvans, apes, fish, and a variety ' of birds, tame cattle, deer, men, and ravenous beasts ' with two rows of teeth;

40. ' Small and large reptiles, moths, lice, fleas, and ' common flies, with every biting gnat, and immovable ' substances of distinct sorts.

41. ' Thus was this whole assemblage of stationary ' and movable bodies framed by those high-minded ' beings, through the force of their own devotion, and ' at my command, with separate actions allotted to ' each.

42. ' Whatever act is ordained for each of those ' creatures here below, *that* I will now declare to you, ' together with their order in respect to birth.

43. ' Cattle and deer, and wild beasts with two rows ' of teeth, giants, and blood-thirsty savages, and the ' race of men, are born from a secundine;

44. ' Birds are hatched from eggs, *so are* snakes, ' crocodiles, fish *without shells*, and tortoises, with other

' animal

CHAP. I. 'animal kinds, terrestrial, *as chamelions*, and aquatick, '*as shell-fish:*

45. 'From hot moisture are born biting gnats, lice, 'fleas, and common flies; these, and whatever is of 'the same class, are produced by heat.

46. 'All vegetables, propagated by seed or by slips, 'grow from shoots: some herbs, abounding in flowers 'and fruits, perish when the fruit is mature;

47. 'Other plants, called lords of the forest, have no 'flowers, but produce fruit; and, whether they have 'flowers also, or fruit only, *large woody plants* of both 'sorts are named trees.

48. 'There are shrubs with many stalks from the 'root upwards, and reeds with single roots but united 'stems, all of different kinds, and grasses, and *vines* '*or* climbers, and creepers, which spring from a seed 'or from a slip.

49. 'These *animals and vegetables*, encircled with 'multiform darkness, by reason of past actions, have 'internal conscience, and are sensible of pleasure and 'pain.

50. 'All transmigrations, recorded *in sacred books*, 'from the state of BRAHMA', to that of plants, happen 'continually in this tremendous world of beings; a 'world *always* tending to decay.

51. 'HE, whose powers are incomprehensible, hav'ing thus created both me and this universe, was

'again

'again absorbed in the supreme Spirit, changing *the* time *of energy* for *the* time *of repose*. CHAP. I.

52. 'When that Power awakes, *(for, though slumber be not predicable of the sole eternal Mind, infinitely wise and infinitely benevolent, yet it is predicated of* BRAHMA', *figuratively, as a general property of life)* then has this world its full expansion; but, when he slumbers with a tranquil spirit, then the whole system fades away;

53. 'For, while he reposes, *as it were*, in calm sleep, embodied spirits, endued with principles of action, depart from their several acts, and the mind itself becomes inert;

54. 'And when they once are absorbed in that supreme essence, then the divine soul of all beings withdraws his energy, and placidly slumbers;

55. 'Then too this vital soul *of created bodies*, with all the organs of sense and of action, remains long immersed *in the first idea or* in darkness, and performs not its natural functions, but migrates from its corporeal frame:

56. 'When, being *again* composed of minute elementary principles, it enters at once into vegetable or animal seed, it then assumes a *new* form.

57. 'Thus that immutable Power, by waking and reposing alternately, revivifies and destroys in eternal

CHAP. I. ' succession, this whole assemblage of locomotive and ' immovable creatures.

58. ' HE, having enacted this code of laws, himself ' taught it fully to me in the beginning: afterwards I ' taught it MARI'CHI and the *nine* other holy sages.

59. ' This *my son* BHRIGU will repeat the divine code ' to you without omission; for that sage learned from ' me to recite the whole of it.'

60. BHRIGU, great and wise, having thus been appointed by MENU to promulge his laws, addressed all the *Rishis* with an affectionate mind, saying: ' Hear!

61. ' FROM this MENU named SWA'YAMBHUVA, or ' *Sprung from the self-existing*, came six descendants, ' other MENUS, *or perfectly understanding the scrip-* ' *ture*, each giving birth to a race of his own, all ex- ' alted in dignity, eminent in power;

62. ' SWA'RO'CHISHA, AUTTAMI, TA'MASA, RAIVATA like- ' wise and CHA'CSHUSHA, beaming with glory, and VAI- ' VASWATA, child of the sun.

63. ' The seven MENUS, (or *those first created, who* ' *are to be followed by seven more*) of whom SWA'YAM- ' BHUVA is the chief, have produced and supported this ' world of moving and stationary beings, each in his ' own *antara*, or *the period of his reign*.

64. ' Eighteen *niméshas*, or *twinklings of an eye*, are ' one *cásht'há;* thirty *cásht'hás*, one *calá;* thirty *calás*, ' one

‘ one *muhúrta:* and just so many *muhúrtas* let mankind consider as the duration of their day and night. CHAP. I.

65. ‘ The sun causes the distribution of day and ‘ night, both divine and human; night being *intended* ‘ for the repose of *various* beings, and day for their ‘ exertion.

66. ‘ A month *of mortals* is a day and a night of ‘ the *Pitrĭs* or *patriarchs inhabiting the moon;* and the ‘ division *of a month* being into equal halves, the half ‘ beginning from the full moon is their day for actions; ‘ and that beginning from the new moon is their night ‘ for slumber.

67. ‘ A year *of mortals* is a day and a night of the ‘ Gods, or *regents of the universe seated round the* ‘ *north pole;* and again their division is this, their ‘ day is the northern, and their night the southern ‘ course of the sun.

68. ‘ Learn now the duration of a day and a night ‘ of BRAHMA', and of the several ages which shall be ‘ mentioned in order succinctly.

69. ‘ Sages have given the name of *Crĭta* to an age ‘ containing four thousand years of the Gods; the ‘ twilight preceding it consists of as many hundreds, ‘ and the twilight following it, of the same number:

70. ‘ In the other three *ages,* with their twilights ‘ preceding and following, are thousands and hun- ‘ dreds diminished by one.

CHAP. I.

71. 'The divine years, in the four *human* ages just 'enumerated, being added together, their sum, *or* 'twelve thousand, is called the age of the Gods:

72. 'And, by reckoning a thousand such divine 'ages, a day of BRAHMA' may be known: his night 'also has an equal duration:

73. 'Those persons best know the divisions of the 'days and nights, who understand that the day of 'BRAHMA', which endures to the end of a thousand 'such ages, gives rise to virtuous exertions; and that 'his night endures as long as his day.

74. 'At the close of his night, having long re-'posed, he awakes, and awaking, exerts intellect, *or* '*reproduces the great principle of animation*, whose 'property it is to exist unperceived by sense:

75. 'Intellect, called into action by his will to cre-'ate worlds, performs *again* the work of creation; 'and thence *first* emerges the subtil ether, to which 'philosophers ascribe the quality of conveying sound;

76. 'From ether, effecting a transmutation in form, 'springs the pure and potent air, a vehicle of all 'scents; and air is held endued with the quality of 'touch:

77. 'Then from air, operating a change, rises light '*or fire*, making objects visible, dispelling gloom, 'spreading bright rays; and it is declared to have the 'quality of figure;

78. 'But

78. ‘ But from light, a change being effected, comes ‘ water with the quality of taste; and from water *is* ‘ *deposited* earth with the quality of smell: such were ‘ they created in the beginning. CHAP. I.

79. ‘ The before-mentioned age of the Gods, or ‘ twelve thousand *of their* years, being multiplied by ‘ seventy-one, *constitutes what* is here named a *Men-* ‘ *wantara, or the reign of a* MENU.

80. ‘ There are numberless *Menwantaras;* creations ‘ also and destructions of worlds, *innumerable:* the ‘ Being supremely exalted performs all this, *with as* ‘ *much ease* as if in sport; again and again, *for the* ‘ *sake of conferring happiness.*

81. ‘ In the *Crĭta* age *the Genius of* truth and right, ‘ *in the form of a Bull,* stands firm on his four feet; ‘ nor does any advantage accrue to men from iniquity;

82. ‘ But in the following ages, by reason of unjust ‘ gains, he is deprived successively of one foot; and ‘ even just emoluments, through the prevalence of ‘ theft, falsehood, and fraud, are *gradually* diminished ‘ by a fourth part.

83. ‘ Men, free from disease, attain all sorts of ‘ prosperity, and live four hundred years in the *Crĭta* ‘ age; but, in the *Trétà* and the succeeding ages, their ‘ life is lessened gradually by one quarter.

84. ‘ The life of mortals, which is mentioned in the ‘ *Véda*, the rewards of good works, and the powers ‘ of

CHAP. I.

'of embodied spirits, are fruits proportioned among 'men to the order of the *four* ages.

85. 'Some duties are performed by *good* men in the '*Crĭta* age; others, in the *Trétà;* some, in the *Dwápara;* others, in the *Cali;* in proportion as those 'ages decrease in length.

86. 'In the *Crĭta* the prevailing virtue is declared 'to be in devotion; in the *Trétà*, divine knowledge; in 'the *Dwápara*, holy sages call sacrifice the duty 'chiefly performed; in the *Cali*, liberality alone.

87. 'For the sake of preserving this universe, the 'Being, supremely glorious, allotted separate duties to 'those who sprang respectively from his mouth, his 'arm, his thigh, and his foot.

88. 'To *Bráhmens* he assigned the duties of reading the *Véda*, of teaching it, of sacrificing, of assisting others to sacrifice, of giving alms, *if they be* '*rich*, and, *if indigent*, of receiving gifts:

89. 'To defend the people, to give alms, to sacrifice, to read the *Véda*, to shun the allurements of 'sensual gratification, are, in a few words, the duties 'of a *Cshatriya:*

90. 'To keep herds of cattle, to bestow largesses, 'to sacrifice, to read the scripture, to carry on trade, 'to lend at interest, and to cultivate land are *prescribed or permitted* to a *Vaisya:*

91. 'One

91. 'One principal duty the supreme Ruler assigns 'to a *Súdra;* namely, to serve the before-mentioned 'classes, without depreciating their worth. CHAP. I.

92. 'Man is declared purer above the navel; but 'the self-creating Power declared the purest part of 'him to be his mouth.

93. 'Since the *Bráhmen* sprang from the most ex'cellent part, since he was the first born, and since 'he possesses the *Véda,* he is by right the chief of 'this whole creation.

94. 'Him, the Being, who exists of himself, pro'duced in the beginning from his own mouth, that, 'having performed holy rites, he might present cla'rified butter to the Gods, and cakes of rice to the 'progenitors of mankind, for the preservation of this 'world:

95. 'What created being then can surpass Him, 'with whose mouth the Gods of the firmament con'tinually feast on clarified butter, and the manes of 'ancestors, on hallowed cakes?

96. 'Of created things, the most excellent are 'those which are animated; of the animated, those 'which subsist by intelligence; of the intelligent, 'mankind; and of men, the sacerdotal class;

97. 'Of priests, those eminent in learning; of the 'learned, those who know their duty; of those who 'know it, such as perform it virtuously; and of the

'virtuous,

CHAP. I. 'virtuous, those who seek beatitude from a perfect 'acquaintance with scriptural doctrine.

98. 'The very birth of *Bráhmens* is a constant incar'nation of DHERMA, *God of Justice;* for the *Bráhmen* 'is born to promote justice, and to procure ultimate 'happiness.

99. 'When a *Bráhmen* springs to light, he is born 'above the world, the chief of all creatures, assigned 'to guard the treasury of duties, religious and civil.

100. 'Whatever exists in the universe, is all in 'effect, *though not in form*, the wealth of the *Bráh-'men*; since the *Bráhmen* is entitled to it all by his 'primogeniture and eminence of birth:

101. 'The *Bráhmen* eats but his own food; wears 'but his own apparel: and bestows but his own in 'alms: through the benevolence of the *Bráhmen*, in'deed, other mortals enjoy life.

102. 'To declare the sacerdotal duties, and those 'of the other classes in due order, the sage MENU, 'sprung from the self-existing, promulged this code 'of laws:

103. 'A code which must be studied with extreme 'care by every learned *Bráhmen*, and fully explained 'to his disciples, but *must be taught* by no other 'man *of an inferior class.*

104. 'The *Bráhmen* who studies this book, having 'performed

' performed sacred rites, is perpetually free from offence in thought, in word, and in deed; CHAP. I.

105. ' He confers purity on his living family, on ' his ancestors, and on his descendants, as far as the ' seventh person; and He alone deserves to possess ' this whole earth.

106. ' This most excellent code produces every thing ' auspicious; this code increases understanding; this ' code procures fame and long life; this code leads ' to supreme bliss.

107. ' In this *book* appears the system of law in ' its full extent, with the good and bad properties ' of human actions, and the immemorial customs of ' the four classes.

108. ' Immemorial custom is transcendent law, approved in the sacred scripture, and in the codes ' of divine legislators: let every man, therefore, of ' the three principal classes, who has a due reverence ' for the *supreme* spirit *which dwells in him*, diligently ' and constantly observe immemorial custom:

109. ' A man of the priestly, military, or commercial class, who deviates from immemorial usage, ' tastes not the fruit of the *Véda;* but, by an exact ' observance of it, he gathers that fruit in perfection.

110. ' Thus have holy sages, well knowing that law ' is grounded on immemorial custom, embraced, as ' the root of all piety, good usages long established.

CHAP. I.

111. 'The creation of this universe, the forms of 'institution and education, with the observances and 'behaviour of a student in theology; the best rules 'for the ceremony on his return from the mansion of 'his preceptor;

112. 'The law of marriage in general, and of nup-'tials in different forms; the regulations for the great 'sacraments, and the manner, primevally settled, of 'performing obsequies;

113. 'The modes of gaining subsistence, and the 'rules to be observed by the master of a family; the 'allowance and prohibition of diet, with the purifica-'tion of men and utensils;

114. 'Laws concerning women, the devotion of her-'mits, and of anchorets wholly intent on final beati-'tude, the whole duty of a king, and the judicial 'decision of controversies,

115. 'With the law of evidence and examination; 'laws concerning husband and wife, canons of inheri-'tance; the prohibition of gaming, and the punish-'ments of criminals;

116. 'Rules ordained for the mercantile and servile 'classes, with the origin of those that are mixed; the 'duties and rights of all the classes in time of distress 'for subsistence; and the penances for expiating sins;

117. 'The several transmigrations in this universe, 'caused by offences of three kinds, with the ultimate 'bliss

‘ bliss attending good actions, on the full trial of vice ‘ and virtue ; CHAP. II.

118. ‘ All these titles of law, promulgated by MENU, ‘ and *occasionally* the customs of different countries, ‘ different tribes, and different families, with rules con-‘ cerning hereticks and companies of traders, are discussed in this code.

119. ‘ Even as MENU, at my request, formerly re-‘ vealed this divine *Sástra,* hear it now from me with-‘ out any diminution or addition.

CHAP. II.

On Education; or on the Sacerdotal Class, and the First Order.

CHAP. II.

1. 'KNOW that system of duties, which is revered 'by such as are learned in the *Védas*, and impressed, '*as the means of attaining beatitude*, on the hearts 'of the just, who are ever exempt from hatred and 'inordinate affection.

2. 'Self-love is no laudable motive, yet an exemp-'tion from self-love is not *to be found* in this world: 'on self-love is grounded the study of scripture, and 'the practice of actions recommended in it.

3. 'Eager desire *to act* has its root in expectation 'of some advantage; and with such expectation are 'sacrifices performed; the rules of religious austerity 'and abstinence from sins are all known to arise 'from hope of remuneration.

4. 'Not a single act here below appears ever to be 'done by a man free from self-love; whatever he 'performs, it is wrought from his desire of a re-'ward.

5. 'He, indeed, who should persist in *discharging* 'these duties without any view to their fruit, would 'attain *hereafter* the state of the immortals, and even 'in

'in this life, would enjoy all the virtuous gratifica- 'tions, that his fancy could suggest.

6. 'The roots of law are the whole *Véda,* the or- 'dinances and moral practices of such as perfectly 'understand it, the immemorial customs of good men, 'and, *in cases quite indifferent,* self-satisfaction.

7. 'Whatever law has been ordained for any per- 'son by MENU, that law is fully declared in the '*Véda:* for HE was perfect in divine knowledge:

8. 'A man of true learning, who has viewed this 'complete system with the eye of sacred wisdom, 'cannot fail to perform all those duties, which are 'ordained on the authority of the *Véda.*

9. 'No doubt, that man who shall follow the rules 'prescribed in the *Sruti* and in the *Smrĭti,* will ac- 'quire fame in this life, and, in the next, inexpres- 'sible happiness:

10. 'By *Sruti,* or *what was heard from above,* is 'meant the *Véda;* and by *Smrĭti,* or *what was remem- 'bered from the beginning,* the body of law: those two 'must not be oppugned by heterodox arguments; 'since from those two, proceeds the whole system of 'duties.

11. 'Whatever man of the three highest classes, 'having addicted himself to heretical books, shall 'treat with contempt those two roots of law, he must

'be

CHAP. II. 'be driven, as an Atheist and a scorner of revelation, 'from the company of the virtuous.

12. 'The scripture, the codes of law, approved 'usage, and, *in all indifferent cases*, self-satisfaction, 'the wise have openly declared to be the quadruple 'description of the juridical system.

13. 'A knowledge of right is a sufficient incentive 'for men unattached to wealth or to sensuality; and 'to those who seek a knowledge of right, the su- 'preme authority is divine revelation;

14. 'But, when there are two sacred texts, *appa- 'rently inconsistent*, both are held to be law; for both 'are pronounced by the wise to be valid and recon- 'cilable;

15. 'Thus in the *Véda* are these texts: "let the "sacrifice be when the sun has arisen," and, "before it "has risen," and, "when neither sun nor stars can "be seen:" the sacrifice, therefore, may be performed 'at any or all of those times.

16. 'He, whose life is regulated by holy texts, from 'his conception even to his funeral pile, has a decided 'right to study this code; but no other man what- 'soever.

17. 'Between the two divine rivers *Saraswatí* and '*Drĭshadwatí*, lies the tract of land, which the sages 'have named *Brahmáverta*, *because it was* frequented 'by Gods:

18. 'The

18. 'The custom preserved by immemorial tradition 'in that country, among the four *pure* classes, and 'among those which are mixed, is called approved 'usage. CHAP. II.

19. '*Curucshétra, Matsya, Panchála,* or *Cányacubja,* 'and *Súraséna,* or *Mat'hurà,* form the region called '*Brahmarshi,* distinguished from *Brahmáverta:*

20. 'From a *Bráhmen* who was born in that coun- 'try, let all men on earth learn their several usages.

21. 'That country which lies between *Himawat* and '*Vindhya,* to the east of *Vinasana,* and to the west 'of *Prayága,* is celebrated by the title of *Medhya- 'désa,* or *the central region.*

22. 'As far as the eastern, and as far as the west- 'ern oceans, between the two mountains just men- 'tioned, lies the tract which the wise have named '*Aryáverta,* or *inhabited by respectable men.*

23. 'That land, on which the black antelope natu- 'rally grazes, is held fit for the performance of sa- 'crifices; but the land of *Mléch'has* or *those who speak 'barbarously,* differs widely from it.

24. 'Let the three first classes invariably dwell in 'those before-mentioned countries; but a *Súdra,* dis- 'tressed for subsistence, may sojourn wherever he 'chuses.

25. 'Thus has the origin of law been succinctly 'declared

CHAP. II.

'declared to you, together with the formation of this 'universe: now learn the laws of the several classes.

26. 'WITH auspicious acts prescribed by the *Véda*, 'must ceremonies on conception, and so forth, be 'duly performed, which purify the bodies of the three 'classes in this life, and *qualify them* for the next.

27. 'By oblations to fire during the mother's preg-'nancy, by holy rites on the birth of the child, by the 'tonsure of his head with a lock of hair left on it, 'by the ligation of the sacrificial cord, are the se-'minal and uterine taints of the three classes wholly 'removed:

28. 'By studying the *Véda*, by religious observ-'ances, by oblations to fire, by the ceremony of '*Traividya*, by offering to the Gods and Manes, by 'the procreation of children, by the five great sacra-'ments, and by solemn sacrifices, this human body is 'rendered fit for a divine state.

29. 'Before the section of the navel string a cere-'mony is ordained on the birth of a male: he must 'be made, while sacred texts are pronounced, to taste 'a little honey and clarified butter from a golden 'spoon.

30. 'Let the father *perform or, if absent,* cause to 'be performed, on the tenth or twelfth day *after the 'birth*, the ceremony of giving a name; or on some 'fortunate day of the moon, at a lucky hour, and 'under the influence of a star with good qualities

31. 'The

31. ‘ The first part of a *Bráhmen's* compound name ‘ should indicate holiness; of a *Cshatriya's*, power; of ‘ a *Vaisya's*, wealth; and of a *Súdra's*, contempt

32. ‘ Let the second part of the priest's name im- ‘ ply prosperity; of the soldier's, preservation; of the ‘ merchant's, nourishment; of the servant's, humble ‘ attendance.

33. ‘ The names of women should be agreeable, soft, ‘ clear, captivating the fancy, auspicious, ending in long ‘ vowels, resembling words of benediction.

34. ‘ In the fourth month the child should be car- ‘ ried out of the house *to see the sun:* in the sixth ‘ month, he should be fed with rice; or that *may be* ‘ *done*, which, by the custom of the family, is thought ‘ most propitious.

35. ‘ By the command of the *Véda*, the ceremony ‘ of tonsure should be legally performed by the three ‘ *first* classes in the first or third year *after birth.*

36. ‘ In the eighth year from the conception of a ‘ *Bráhmen*, in the eleventh from that of a *Cshatriya*, ‘ and in the twelfth from that of a *Vaisya*, let the ‘ father invest the child with the mark of his class:

37. ‘ Should a *Bráhmen*, or *his father for him*, be ‘ desirous of his advancement in sacred knowledge; ‘ a *Cshatriya*, of extending his power; *or* a *Vaisya* ‘ of engaging in mercantile business; the investiture

CHAP. II. 'may be made in the fifth, sixth, or eighth years 'respectively.

38. 'The ceremony of investiture hallowed by the '*gáyatrì* must not be delayed, in the case of a 'priest, beyond the sixteenth year; nor in that of a 'soldier, beyond the twenty-second; nor in that of a 'merchant, beyond the twenty-fourth.

39. 'After that, *all youths* of these three classes, 'who have not been invested at the proper time, be-'come *vrátyas*, or outcasts, degraded from the *gáyatrì*, 'and contemned by the virtuous:

40. 'With such impure men, let no *Bráhmen*, even 'in distress for subsistence, ever form a connexion in 'law, either by the study of the *Véda*, or by affinity.

41. 'Let students in theology wear *for their man-'tles*, the hides of black antelopes, of common deer, 'or of goats, with *lower vests of* woven *sana*, of '*cshumà*, and of wool, in the direct order of their 'classes.

42. 'The girdle of a priest must be made of '*munja*, in a triple cord, smooth and soft; that of a 'warriour must be a bow string of *múrvá;* that of a 'merchant, a triple thread of *sana*.

43. 'If the *munja* be not procurable, their zones 'must be formed *respectively* of the grasses *cusa* *asmántaca*, *valvaja*, in triple strings, with one, three, 'or five knots, *according to the family custom.*

44. 'The

44. 'The sacrificial thread of a *Bráhmen* must be 'made of cotton, so as to be put on over his head, 'in three strings; that of a *Cshatriya*, of *sana* thread 'only; that of a *Vaisya*, of woollen thread.

45. 'A priest ought by law to carry a staff of '*Vilva* or *Palása*; a soldier, of *Vata* or *C'hadira*; 'a merchant of *Vénu* or *Udumbara*:

46. 'The staff of a priest must be of such a length 'as to reach his hair; that of a soldier, to reach his 'forehead; and that of a merchant, to reach his nose.

47. 'Let all the staves be straight, without frac'ture, of a handsome appearance, not likely to terrify 'men, with their bark perfect, unhurt by fire.

48. 'Having taken a legal staff to his liking, and 'standing opposite to the sun, let the student thrice 'walk round the fire from left to right, and perform, 'according to law, the ceremony of asking food:

49. 'The most excellent of the three classes, being 'girt with the sacrificial thread, must ask food with 'the respectful word *bhavati*, at the beginning of 'the phrase; those of the second class, with that 'word in the middle; and those of the third, with 'that word at the end.

50. 'Let him first beg food of his mother, or of 'his sister, or of his mother's whole sister; then of 'some other female who will not disgrace him.

51. 'Having collected as much of the desired food

CHAP. II. ‘ as he has occasion for, and having presented it ‘ without guile to his preceptor, let him eat some ‘ of it, being duly purified, with his face to the east:

52. ‘ If he seek long life, he should eat with his ‘ face to the east; if exalted fame, to the south; if ‘ prosperity, to the west; if truth *and its reward*, to ‘ the north.

53. ‘ Let the student, having performed his ablution, ‘ always eat his food without distraction of mind; ‘ and, having eaten, let him *thrice* wash his mouth ‘ completely, sprinkling with water the *six* hollow ‘ parts of his head, *or his eyes, ears, and nostrils.*

54. ‘ Let him honour all his food, and eat it with-‘ out contempt; when he sees it, let him rejoice and ‘ be calm, and pray that he may always obtain it.

55. ‘ Food, eaten constantly with respect, gives ‘ muscular force and generative power; but, eaten ‘ irreverently, destroys them both.

56. ‘ He must beware of giving any man what he ‘ leaves; and of eating any thing between *morning* ‘ *and evening:* he must also beware of eating too much, ‘ and of going any whither with a remnant of his food ‘ unswallowed.

57 ‘ Excessive eating is prejudicial to health, to ‘ fame, and to *future bliss in* Heaven; it is injurious to ‘ virtue, and odious among men: he must, for these ‘ reasons, by all means avoid it.

58. ‘ Let

58. ‘Let a *Bráhmen* at all times perform the ablu- CHAP. II.
‘tion with the pure part of his hand denominated ‘from the *Véda*, or with the part sacred to the Lord ‘of creatures, or with that dedicated to the Gods; ‘but never with the part named from the *Pitrïs:*

59. ‘The pure part under the root of the thumb is ‘called *Bráhma*, that at the root of the little finger, ‘*Cáya;* that at the tips of the fingers, *Daiva;* and ‘the part between the thumb and index *Pitrya.*

60. ‘Let him first sip water thrice; then twice wipe ‘his mouth; and lastly touch with water the *six be-* ‘*fore mentioned* cavities, his breast, and his head.

61. ‘He who knows the law and seeks purity will ‘ever perform his ablution with the pure part of his ‘hand, and with water neither hot nor frothy, stand- ‘ing in a lonely place, and turning to the east or the ‘north.

62. ‘A *Bráhmen* is purified by water that reaches ‘his bosom; a *Cshatriya*, by water descending to his ‘throat; a *Vaisya*, by water barely taken into his ‘mouth; a *Súdra*, by water touched with the extremity ‘*of his lips.*

63. ‘A youth of the three highest classes is named ‘*upavítí*, when his right hand is extended *for the* ‘*cord to pass over his head and be fixed on his left* ‘*shoulder;* when his left hand is extended, *that the* ‘*thread may be placed on his right shoulder*, he is ‘called

CHAP. II. ‘ called *práchínávítí;* and *nivítí,* when it is fastened on ‘ his neck.

64. ‘ His girdle, his leathern mantle, his staff, his ‘ sacrificial cord, and his ewer, he must throw into the ‘ water, when they are worn out or broken, and re- ‘ ceive others hallowed by mystical texts.

65. ‘ The ceremony of *césánta,* or *cutting off the hair,* ‘ is ordained for a priest in the sixteenth year from ‘ conception; for a soldier, in the twenty-second; for ‘ a merchant, two years later than that.

66. ‘ The same ceremonies, *except that of the sacri-* ‘ *ficial thread,* must be duly performed for women at ‘ the same age and in the same order, that the body ‘ may be made perfect; but without any text from the ‘ *Véda:*

67. ‘ The nuptial ceremony is considered as the ‘ complete institution of women, ordained for them ‘ in the *Véda,* together with reverence to their hus- ‘ bands, dwelling first in their father's family, the ‘ business of the house, and attention to sacred fire.

68. ‘ Such is the revealed law of institution for the ‘ twice born; an institution in which their second birth ‘ clearly consists, and which causes their advancement ‘ in holiness: now learn to what duties they must af- ‘ terwards apply themselves.

69. ‘ The venerable preceptor, having girt his pupil ‘ with the thread, must first instruct him in purifica-

‘ tion,

'tion, in good customs, in the management of the 'consecrated fire, and in the holy rites of morning, 'noon, and evening. CHAP. II.

70. 'When the student is going to read the *Véda*, 'he must perform an ablution, as the law ordains, 'with his face to the north, and, having paid scriptural 'homage, he must receive instruction, wearing a clean 'vest, his members being duly composed:

71. 'At the beginning and end of the lecture, he 'must always clasp both the feet of his preceptor; and 'he must read with both his hands closed: (this is 'called scriptural homage.)

72. 'With crossed hands let him clasp the feet of 'his tutor, touching the left foot with his left, and 'the right, with his right hand.

73. 'When he is prepared for the lecture, the pre-'ceptor, constantly attentive, must say: "hoa! read;" 'and at the close of the lesson he must say: "take 'rest."

74. 'A *Bráhmen*, beginning and ending a lecture on 'the *Véda*, must always pronounce to himself the syl-'lable *óm*; for, unless the syllable *óm* precede, his 'learning will slip away from him; and, unless it 'follow, nothing will be long retained.

75. 'If he have sitten on culms of *cúsa* with their 'points toward the east, and be purified by *rubbing*

'that

CHAP. II. 'that holy grass on both his hands, and be further 'prepared by three suppressions of breath *each equal 'in time to five short vowels*, he then may fitly pro-'nounce *óm*.

76. 'BRAHMA' milked out, *as it were*, from the 'three *Védas*, the letter A, the letter U, and the 'letter M, *which form by their coalition the triliteral 'monosyllable*, together with three mysterious words, '*bhur*, *bhuvah*, *swer*, or *earth*, *sky*, *heaven:*

77. 'From the three *Védas*, also, the Lord of crea-'tures, incomprehensibly exalted, successively milked 'out the three measures of that ineffable text, be-'ginning with the word *tad*, and entitled *sávitrì* or '*gáyatrì*.

78. 'A priest who shall know the *Véda*, and shall 'pronounce to himself, both morning and evening, 'that syllable, and that holy text preceded by the 'three words, shall attain the sanctity which the *Véda* 'confers;

79. 'And a twice born man, who shall a thousand 'times repeat those three (or *óm*, the *vyáhrĭtis*, and 'the *gáyatrì*,) apart *from the multitude*, shall be re-'leased in a month even from a great offence, as a 'snake from his slough.

80. 'The priest, the soldier, and the merchant, who 'shall neglect this mysterious text, and fail to perform 'in due season his peculiar acts of piety, shall meet 'with contempt among the virtuous.

81. 'The

81. ' The three great immutable words, preceded by ' the triliteral syllable, and *followed by* the *gáyatrì* ' which consists of three measures, must be consider- ' ed as the mouth, or *principal part* of the *Véda:*

82. ' Whoever shall repeat, day by day, for three ' years, without negligence, that sacred text, shall ' *hereafter* approach the divine essence, move as free- ' ly as air, and assume an ethereal form.

83. ' The triliteral monosyllable is *an emblem of* the ' Supreme, the suppressions of breath *with a mind fixed* ' *on* God are the highest devotion; but nothing is ' more exalted than the *gáyatrì: a declaration of* truth ' is more excellent than silence.

84. ' All rites ordained in the *Véda,* oblations to ' fire, and solemn sacrifices pass away; but that ' which passes not away, is declared to be the sylla- ' ble *óm,* thence called *acshara:* since it is a *symbol* ' *of* God, the Lord of created beings.

85. ' The act of repeating his Holy Name is ten ' times better than the appointed sacrifice; an hun- ' dred times better when it is heard by no man; and ' a thousand times better when it is purely mental:

86. ' The four domestick sacraments which are ac- ' companied with the appointed sacrifice, are not ' equal, though all be united, to a sixteenth part of ' the sacrifice performed by a repetition of the *gáya-* ' *trì:*

87. ' By the sole repetition of the *gáyatrì,* a priest

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'may indubitably attain beatitude, let him perform, 'or not perform, any other religious act; if he be '*Maitra*, or a *friend to all creatures*, he is *justly* named '*Bráhmena*, or *united to the Great One*.

88. 'In restraining the organs which run wild among 'ravishing sensualities, a wise man will apply diligent 'care, like a charioteer in managing restive horses.

89. 'Those eleven organs, to which the first sages 'gave names, I will comprehensively enumerate as the 'law considers them in due order.

90. 'The nose is the fifth after the ears, the skin, 'the eyes, and the tongue; and the organs of speech 'are reckoned the tenth, after those of excretion and 'generation, and the hands and feet:

91. 'Five of them, the ear and the rest in succes-'sion, learned men have called organs of sense; and 'the others, organs of action:

92. 'The heart must be considered as the eleventh; 'which, by its natural property, comprises both sense 'and action; and which being subdued, the two other 'sets, with five in each, are also controlled.

93. 'A man, by the attachment of his organs to 'sensual pleasure, incurs certain guilt; but, having 'wholly subdued them, he thence attains heavenly 'bliss.

94. 'Desire is never satisfied with the enjoyment of

'desired

'desired objects; as the fire is not appeased with 'clarified butter; it only blazes more vehemently. CHAP. II.

95. 'Whatever man may obtain all those gratifications, or whatever man may resign them completely, 'the resignation of all pleasures is far better than the 'attainment of them.

96. 'The organs being strongly attached to sensual 'delights cannot so effectually be restrained by avoiding incentives to pleasure, as by a constant pursuit of 'divine knowledge.

97. 'To a man contaminated by sensuality neither 'the *Védas*, nor liberality, nor sacrifices, nor strict 'observances, nor pious austerities, ever procure felicity.

98. 'He must be considered as really triumphant 'over his organs, who, on hearing and touching, on 'seeing and tasting and smelling, *what may please or* '*offend the senses*, neither greatly rejoices nor greatly 'repines:

99. 'But, when one among all his organs fails, by 'that single failure his knowledge of God passes away, 'as water flows through one hole in a leathern bottle.

100. 'Having kept all his members *of sense and action* under control, and obtained also command over 'his heart, he will enjoy every advantage, even though 'he reduce not his body by religious austerities.

101. 'At the morning twilight let him stand repeat-

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'ing the *gáyatrì* until he see the sun; and at evening 'twilight, let him repeat it sitting, until the stars dis- 'tinctly appear;

102. 'He who stands repeating it at the morning 'twilight, removes *all unknown* nocturnal sin; and he 'who repeats it sitting at evening twilight, disperses 'the taint, that has *unknowingly* been contracted in 'the day;

103. 'But he who stands not repeating it in the 'morning, and sits not repeating it in the evening, 'must be precluded, like a *Súdra*, from every sacred 'observance of the twice born classes.

104. 'Near pure water, with his organs holden under 'control, *and* retiring from circumspection to some 'unfrequented place, let him pronounce the *gáyatrì*, 'performing daily ceremonies.

105. 'In reading the *Védángas*, or *grammar*, *pro- 'sody*, *mathematicks*, *and so forth*, or even such parts 'of the *Véda* as ought constantly to be read, there is 'no prohibition on particular days; nor in pronounc- 'ing the texts appointed for oblations to fire:

106. 'Of that, which must constantly be read, and is 'therefore called *Brahmasatra*, there can be no such 'prohibition; and the oblation to fire, according to the '*Véda*, produces good fruit, though accompanied with 'the text *vashat*, which *on other occasions* must be in- 'termitted on certain days.

107. 'For

107. 'For him, who shall persist a whole year in 'reading the *Véda*, his organs being kept in subjection, 'and his body pure, there will always rise good fruit 'from his *offerings of* milk and curds, *of* clarified butter 'and honey.

108. 'Let the twice born youth, who has been girt 'with the sacrificial cord, collect wood for the holy fire, 'beg food of his relations, sleep on a low bed, and 'perform such offices as may please his preceptor, until 'his return to the house of his natural father.

109 'Ten persons may legally be instructed in the '*Véda*; the son of a spiritual teacher; a boy who is 'assiduous; one who can impart other knowledge; 'one who is just; one who is pure; one who is 'friendly; one who is powerful; one who can bestow 'wealth; one who is honest; and one who is related 'by blood.

110. 'Let not a sensible teacher tell any *other* what 'he is not asked, nor what he is asked improperly; 'but let him, however intelligent, act in the multi-'tude as if he were dumb:

111. 'Of the two persons, him, who illegally asks, 'and him, who illegally answers, one will die, or 'incur odium.

112. 'Where virtue, and wealth *sufficient to secure it*, 'are not found, or diligent attention, *at least* pro-'portioned *to the holiness of the subject*, in that soil

'divine

CHAP. II.

'divine instruction must not be sown: it would perish 'like fine seed in barren land.

113. 'A teacher of the *Véda* should rather die 'with his learning, than sow it in sterile soil, 'even though he be in grievous distress for sub-'sistence.

114. 'Sacred Learning, having approached a *Bráh-'men*, said to him: "I am thy precious gem; pre-'serve me with care; deliver me not to a scorner; '(so *preserved* I shall become supremely strong.)

115. 'But communicate me, as to a vigilant depo-'sitory of thy gem, to that student, whom thou shalt 'know to be pure, to have subdued his passions, to 'perform the duties of his order."

116. 'He who shall acquire *knowledge of* the *Véda* 'without the assent of his preceptor, incurs the guilt 'of stealing the scripture, and shall sink to the re-'gion of torment.

117. 'From whatever teacher a student has received 'instruction, either popular, ceremonial, or sacred, let 'him first salute his instructor, when they meet.

118. 'A *Bráhmen*, who completely governs his pas-'sions, though he know the *gáyatrì* only, is more 'honourable than he, who governs not his passions, 'who eats all *sorts of food*, and sells all *sorts of com-'modities*, even though he know the three *Védas*.

119. 'When a superiour sits on a couch or bench, 'let

‘ let not an inferiour sit on it with him; and, if an ‘ inferiour be sitting on a couch, let him rise to salute ‘ a superiour. CHAP. II.

120. ‘ The vital spirits of a young man mount up- ‘ wards *to depart from him*, when an elder approaches; ‘ but by rising and salutation he recovers them.

121. ‘ A youth who habitually greets and constantly ‘ reveres the aged, obtains an increase of four things; ‘ life, knowledge, fame, strength.

122. ‘ After the word of salutation, a *Bráhmen* must ‘ address an elder; saying, “ I am such an one,” ‘ pronouncing his own name.

123. ‘ If any persons, *through ignorance of the* San- ‘ scrit *language*, understand not the import of his ‘ name, to them should a learned man say, “ It is I;” ‘ and in that manner he should address all *classes of* ‘ women.

124. ‘ In the salutation he should pronounce, after ‘ his own name, the vocative particle *bhós*; for the ‘ particle *bhós* is held by the wise to have the same ‘ property with names *fully expressed*.

125. ‘ A *Bráhmen* should thus be saluted in return: ‘ “ May'st thou live long, excellent man!” and at the ‘ end of his name, the vowel and preceding consonant ‘ should be lengthened, *with an acute accent*, to three ‘ syllabick moments *or short vowels*.

126. ‘ That *Bráhmen*, who knows not the form of

‘ returning

'returning a salutation, must not be saluted by a 'man of learning: as a *Súdra*, even so is he.

127. 'Let a learned man ask a priest, when he 'meets him, if his devotion prospers; a warriour, if 'he is unhurt; a merchant, if his wealth is secure; 'and one of the servile class, if he enjoys good health; '*using respectively the words*, cusalam, anámayam, cshé-'mam, *and* árógyam.

128. 'He, who has just performed a solemn sacrifice 'and ablution, must not be addressed by his name, 'even though he be a younger man; but he, who 'knows the law, should accost him with the vocative 'particle, or with *bhavat, the pronoun of respect.*

129. 'To the wife of another, and to any woman 'not related by blood, he must say, "*bhavati*, and 'amiable sister."

130. 'To his uncles paternal and maternal, to his 'wife's father, to performers of the sacrifice, and to 'spiritual teachers; he must say, "I am such an 'one"—rising up to salute them, even though younger 'than himself.

131. 'The sister of his mother, the wife of his ma-'ternal uncle, his own wife's mother, and the sister of 'his father, must be saluted like the wife of his *father* '*or* preceptor: they are equal to his *father's or his* 'preceptor's wife.

132. 'The wife of his brother, if she be of the same 'class, must be saluted every day; but his paternal

'and

'and maternal kinswomen need only be greeted on 'his return from a journey. CHAP. II.

133. 'With the sister of his father and of his mother, and with his own elder sister, let him demean 'himself as with his mother; though his mother be 'more venerable than they.

134. 'Fellow citizens are equal for ten years; dancers and singers, for five; learned theologians, for 'less than three; but persons related by blood, for a 'short time: *that is, a greater difference of age destroys 'their equality.*

135. 'The Student must consider a *Bráhmen,* though 'but ten years old, and a *Cshatriya,* though aged a 'hundred years, as father and son; as between those 'two, the young *Bráhmen* is *to be respected as* the 'father.

136. 'Wealth, kindred, age, moral conduct, and, 'fifthly, divine knowledge, entitle men to respect; but 'that which is last mentioned in order, is the most respectable.

137. 'Whatever man of the three *highest* classes 'possesses the most of those five, both in number 'and degree, that man is entitled to most respect; 'even a *Súdra,* if he have entered the tenth decad of 'his age.

138. 'Way must be made for a man in a wheeled 'carriage, or above ninety years old, or afflicted with

 'disease,

CHAP. II. 'disease, or carrying a burthen; for a woman; for 'a priest just returned from the mansion of his pre-'ceptor; for a prince, and for a bridegroom:

139. 'Among all those, if they be met at one time, 'the priest just returned home and the prince are most 'to be honoured; and of those two, the priest just 'returned, should be treated with more respect than 'the prince.

140. 'That priest who girds his pupil with the sacri-'ficial cord, and afterwards instructs him in the whole '*Véda*, with the law of sacrifice and the sacred *Upa-'nishads*, holy sages call an *áchárya*:

141. 'But, he, who for his livelihood, gives instruc-'tion in a part only of the *Véda*, or in grammar, and 'in other *Védángas*, is called an *upádhyáya*, or sub-'lecturer.

142. 'The father, who performs the ceremonies 'on conception and the like, according to law, and 'who nourishes the child with his first rice, has the 'epithet of *guru*, or venerable.

143. 'He, who receives a stipend for preparing the 'holy fire, for conducting the *páca* and *agnishtóma*, 'and for performing other sacrifices, is called in this 'code the *rĭtwij* of his employer.

144. 'He, who truly and faithfully fills both ears 'with the *Véda*, must be considered as equal to a 'mother; he must be revered as a father; him the pu-'pil must never grieve.

145. 'A

145. ‘ A *mere áchárya*, or *a teacher of the* gáyatrì ‘ *only*, surpasses ten *upádhyáyas;* a father, a hundred ‘ such *ácháryas;* and a mother, a thousand *natural* fa- ‘ thers.

146. ‘ Of him, who gives natural birth, and him, ‘ who gives knowledge of the whole *Véda*, the giver of ‘ sacred knowledge is the more venerable father; since ‘ the *second or* divine birth ensures life to the twice ‘ born both in this world and hereafter eternally.

147. ‘ Let a man consider that as a mere human ‘ birth, which his parents gave him for their mutual ‘ gratification, and which he receives after lying in the ‘ womb ;

148. ‘ But that birth which his *principal áchárya*, ‘ who knows the whole *Véda*, procures for him by *his* ‘ *divine mother* the *gáyatrì*, is a true birth: that birth ‘ is exempt from age and from death.

149. ‘ Him, who confers on a man the benefit of sa- ‘ cred learning, whether it be little or much, let him ‘ know to be here named *guru*, or *venerable father*, in ‘ consequence of that heavenly benefit.

150. ‘ A *Bráhmen*, who is the giver of spiritual birth, ‘ the teacher of prescribed duty, is by right *called* the ‘ father of an old man, though himself be a child.

151. ‘ Cavi, or *the learned*, child of Angiras, taught ‘ his paternal uncles and cousins to read the *Véda*, ‘ and, excelling them in divine knowledge, said to them, ‘ “ little sons:”

 152. ‘ They,

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152. 'They, moved with resentment, asked the Gods 'the meaning of that *expression;* and the Gods, being 'assembled, answered them: "The child has addressed 'you properly;

153. 'For an unlearned man is in truth a child; 'and he who teaches him the *Véda*, is his father: 'holy sages have always said child to an ignorant man, 'and father to a teacher of scripture."

154. 'Greatness is not conferred by years, not by 'gray hairs, not by wealth, not by powerful kindred: 'the divine sages have established this rule; "Who-'ever has read the *Védas* and their *Angas*, he among 'us is great"

155. 'The seniority of priests is from sacred learn-'ing; of warriours from valour; of merchants from 'abundance of grain; of the servile class only from 'priority of birth.

156. 'A man is not therefore aged, because his 'head is gray: him, surely, the Gods considered as 'aged, who, though young in years, has read *and un-'derstands* the *Véda*.

157. 'As an elephant made of wood, as an antelope 'made of leather, such is an unlearned *Bráhmen:* those 'three have nothing but names.

158. 'As an eunuch is unproductive with women, as 'cow with a cow is unprolifick, as liberality to a fool 'is fruitless, so is a *Bráhmen* useless, if he read not the 'holy texts.

159. 'Good

159. ‘ Good instruction must be given without pain ‘ to the instructed; and sweet gentle speech must be ‘ used by a preceptor, who cherishes virtue.

160. ‘ He, whose discourse and heart are pure, and ‘ ever perfectly guarded, attains all the fruit arising ‘ from his complete course of studying the *Véda*.

161. ‘ Let not a man be querulous even though in ‘ pain; let him not injure another in deed or in ‘ thought; let him not even utter a word, by which ‘ his fellow creature may suffer uneasiness; since that ‘ will obstruct his own progress to future beatitude.

162. ‘ A *Bráhmen* should constantly shun worldly honour, as he would shun poison; and rather constantly ‘ seek disrespect, as he would seek nectar;

163. ‘ For though scorned, he may sleep with pleasure; with pleasure may he awake; with pleasure ‘ may he pass through this life: but the scorner utterly ‘ perishes.

164. ‘ Let the twice-born youth, whose soul has ‘ been formed by this regular succession of prescribed ‘ acts, collect by degrees, while he dwells with his ‘ preceptor, the devout habits proceeding from the ‘ study of scripture.

165. ‘ With various modes of devotion, and with austerities ordained by the law, must the whole *Véda* ‘ be read, and above all the sacred *Upanishads*, by him, ‘ who has received a new birth.

166. ‘ Let

CHAP. II.

166. 'Let the best of the twice-born classes, intending to practice devotion, continually repeat the 'reading of scripture; since a repetition of reading 'the scripture is here styled the highest devotion of 'a *Bráhmen.*

167. 'Yes verily; that student in theology performs 'the highest act of devotion *with his whole body,* to 'the extremities of his nails, even though he *be so far* '*sensual as to* wear a chaplet of sweet flowers, who 'to the utmost of his ability daily reads the *Véda.*

168. 'A twice-born man, who not having studied 'the *Véda,* applies diligent attention to a different *and* '*worldly* study, soon falls, even when living, to the 'condition of a *Súdra;* and his descendants after him.

169. 'The first birth is from a natural mother; the 'second, from the ligation of the zone; the third from 'the due performance of the sacrifice; such are the 'births of him who is usually called twice-born, ac'cording to a text of the *Véda*:

170. 'Among them his divine birth is that, which 'is distinguished by the ligation of the zone, *and sa*'*crificial cord;* and in that *birth* the *Gáyatrì* is his 'mother, and the *A'chárya,* his father.

171 'Sages call the *A'chárya* father, from his 'giving instruction in the *Véda:* nor can any holy 'rite be performed by a young man, before his in'vestiture.

172. '*Till he be invested with the signs of his class,*

'he

‘ he must not pronounce any sacred text, except what ‘ ought to be used in obsequies to an ancestor; since ‘ he is on a level with a *Súdra* before his new birth ‘ from the revealed scripture: CHAP. II.

173. ‘ From him, who has been duly invested, are ‘ required both the performance of devout acts and ‘ the study of the *Véda* in order, preceded by stated ‘ ceremonies.

174. ‘ Whatever sort of leathern mantle, sacrificial ‘ thread, and zone, whatever staff, and whatever under- ‘ apparel are ordained, *as before-mentioned*, for a youth ‘ of each class, the like must also be used in his re- ‘ ligious acts.

175. ‘ These *following* rules must a *Brahmachárí*, or ‘ *student in theology*, observe, while he dwells with ‘ his preceptor; keeping all his members under con- ‘ trol, for the sake of increasing his habitual devotion.

176. ‘ Day by day, having bathed and being puri- ‘ fied, let him offer fresh water to the Gods, the ‘ Sages, and the Manes; let him show respect to the ‘ images of the deities, and bring wood for the obla- ‘ tion to fire.

177. ‘ Let him abstain from honey, from flesh meat, ‘ from perfumes, from chaplets of flowers, from sweet ‘ vegetable juices, from women, from all sweet sub- ‘ stances turned acid, and from injury to animated ‘ beings;

178. ‘ From unguents for his limbs, and from black

‘ powder

CHAP. II. ' powder for his eyes, from wearing sandals, and carrying an umbrella, from sensual desires, from wrath, ' from covetousness, from dancing, and from vocal and ' instrumental musick;

179. ' From gaming, from disputes, from detraction, ' and from falsehood, from embracing or wantonly looking at women, and from disservice to other men.

180. ' Let him constantly sleep alone: let him never ' waste his own manhood; for he, who voluntary ' wastes his manhood, violates the rule of his order, ' *and becomes an* avacírní:

181. ' A twice-born youth, who has involuntarily ' wasted his manly strength during sleep, must repeat ' with reverence, having bathed and paid homage to ' the sun, the text of scripture: " *Again let my* ' *strength return to me.*"

182. ' Let him carry water-pots, flowers, cow-dung, ' fresh earth, and *cusa*-grass, as much as may be ' useful to his preceptor; and let him perform every ' day the duty of a religious mendicant.

183. ' Each day must a *Bráhmen* student receive his ' food by begging, with due care, from the houses of ' persons renowned for discharging their duties, and ' not deficient in performing the sacrifices which the ' *Véda* ordains.

184. ' Let him not beg from the cousins of his preceptor; nor from his own cousins; nor from other ' kinsmen by the father's side, or by the mother's; ' but

'but, if other houses be not accessible, let him begin 'with the last of those in order, avoiding the first; CHAP. II.

185. 'Or, if none of those *houses* just mentioned can 'be found, let him go begging through the whole dis'trict round the village, keeping his organs in subjec'tion, and remaining silent; but let him turn away 'from such as have committed any deadly sin.

186. 'Having brought logs of wood from a distance, 'let him place them in the open air; and with them 'let him make an oblation to fire without remissness, 'both evening and morning.

187. 'He, who for seven successive days omits the 'ceremony of begging food, and offers not wood to the 'sacred fire, must perform the penance of an *avacírní*, 'unless he be afflicted with illness.

188. 'Let the student persist constantly in such beg'ging, but let him not eat the food of one person 'only: the subsistence of a student by begging is held 'equal to fasting *in religious merit*.

189. 'Yet, when he is asked in a solemn act in 'honour of the Gods or the Manes, he may eat at his 'pleasure the food of a single person; observing, how'ever, the laws of abstinence and the austerity of an 'anchoret: thus the rule of his order is kept inviolate.

190. 'This duty of a mendicant is ordained by the 'wise for a *Bráhmen* only; but no such act is appointed 'for a warriour, or for a merchant.

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191. 'Let the scholar, when commanded by his preceptor, and even when he has received no command, always exert himself in reading, and in all acts useful to his teacher.

192. 'Keeping in due subjection his body, his speech, his organs of sense, and his heart, let him stand with the palms of his hands joined, looking at the face of his preceptor.

193. 'Let him always keep his right arm uncovered, be always decently apparelled, and properly composed; and when his instructor says, "be seated," let him sit opposite to his venerable guide.

194. 'In the presence of his preceptor let him always eat less, and wear a coarser mantle with worse appendages; let him rise before, and go to rest after his tutor.

195. 'Let him not answer his teacher's orders, or converse with him, reclining on a bed; nor sitting, nor eating, nor standing, nor with an averted face:

196. 'But let him both *answer and converse*, if his preceptor sit, standing up; if he stand, advancing toward him; if he advance, meeting him; if he run, hastening after him;

197. 'If his face be averted, going round to front him, *from left to right;* if he be at a little distance, approaching him; if reclined, bending to him; and, if he stand ever so far off, running toward him.

198. 'When

198. ‘ When his teacher is nigh, let his couch or ‘ his bench be always placed low: when his preceptor's eye can observe him, let him not sit carelessly ‘ at ease. CHAP. II.

199. ‘ Let him never pronounce the mere name of ‘ his tutor, even in his absence; nor ever mimick his ‘ gait, his speech, or his manner.

200. ‘ In whatever place, either true but censorious, ‘ or false and defamatory, discourse is held concerning ‘ his teacher, let him there cover his ears or remove to ‘ another place:

201. ‘ By censuring his preceptor, though justly, he ‘ will be born an ass; by falsely defaming him, a dog; ‘ by using his goods without leave, a small worm; by ‘ envying his merit, a larger insect or reptile.

202. ‘ He must not serve his tutor by the intervention of another, while himself stands aloof; nor must ‘ he attend him in a passion, nor when a woman is ‘ near; from a carriage or raised seat he must descend ‘ to salute his heavenly director.

203. ‘ Let him not sit with his preceptor to the leeward, or to the windward of him; nor let him say ‘ any thing which the venerable man cannot hear.

204. ‘ He may sit with his teacher in a carriage ‘ drawn by bulls, horses, or camels; on a terrace, on ‘ a pavement of stones, or on a mat of *woven* grass; ‘ on a rock, on a wooden bench, or in a boat.

CHAP. II.

205. 'When his tutor's tutor is near, let him de- 'mean himself as if his own were present; nor let 'him, unless ordered by his spiritual father, prostrate 'himself *in his presence* before his natural father, or 'paternal uncle.

206. 'This is likewise ordained as his constant be- 'haviour toward his other instructors in science; to- 'ward his elder paternal kinsmen; toward all who may restrain him from sin, and all who give him 'salutary advice.

207. 'Toward men also, who are truly virtuous, let 'him always behave as toward his preceptor; and, in 'like manner, toward the sons of his teacher, who 'are entitled to respect *as older men, and are not stu- 'dents;* and toward the paternal kinsmen of his vene- 'rable tutor.

208. 'The son of his preceptor, whether younger 'or of equal age, or a student, if he be capable of 'teaching the *Véda*, deserves the same honour with 'the preceptor himself, *when he is present* at any 'sacrificial act:

209. 'But he must not perform for the son of his 'teacher, the duty of rubbing his limbs, or of bath- 'ing him, or of eating what he leaves, or of washing 'his feet.

210. 'The wives of his preceptor, if they be of the 'same class, must receive equal honour with their 'venerable husband; but if they be of a different

'class

'class, they must be honoured only by rising and 'salutation.

211. 'For no wife of his teacher must he perform 'the offices of pouring scented oil on them, of attend- 'ing them while they bathe, of rubbing their legs and 'arms, or of decking their hair;

212. 'Nor must a young wife of his preceptor be 'greeted even by the ceremony of touching her feet, 'if he have completed his twentieth year, or can dis- 'tinguish virtue from vice.

213 'It is the nature of women in this world to 'cause the seduction of men; for which reason the 'wise are never unguarded in the company of females:

214. 'A female indeed, is able to draw from the 'right path in this life not a fool only, but even a 'sage, and can lead him in subjection to desire or to 'wrath.

215. 'Let no man, therefore, sit in a sequestered 'place with his nearest female relations: the assem- 'blage of corporeal organs is powerful enough to 'snatch wisdom from the wise.

216. 'A young student may, as the law directs, 'make prostration at his pleasure on the ground be- 'fore a young wife of his tutor, saying, "I am such 'an one;"

217. 'And on his return from a journey, he must 'once touch the feet of his preceptor's *aged* wife, 'and

CHAP. II. ‘ and salute her each day by prostration, calling to ‘ mind the practice of virtuous men.

218. ‘ As he who digs deep with a spade comes to ‘ a spring of water, so the student, who humbly serves ‘ his teacher, attains the knowledge *which lies deep* ‘ in his teacher's mind.

219. ‘ Whether his head be shorn, or his hair ‘ long, or one lock be bound above in a knot, let not ‘ the sun ever set or rise while he lies asleep in the ‘ village.

220 ‘ If the sun should rise or set, while he sleeps ‘ through sensual indulgence, and knows it not, he must ‘ fast a whole day, repeating the *gáyatrì*:

221. ‘ He, who has been surprised asleep by the ‘ setting or by the rising sun, and performs not that ‘ penance, incurs great guilt.

222. ‘ Let him adore God both at sunrise and at ‘ sunset, as the law ordains, having made his ablution ‘ and keeping his organs controlled; and, with fixed ‘ attention, let him repeat the text, which he ought ‘ to repeat, in a place free from impurity.

223. ‘ If a woman or a *Súdra* perform any act ‘ leading to the chief temporal good, let the student ‘ be careful to emulate it; and he may do whatever ‘ gratifies his heart, unless it be forbidden by law:

224. ‘ The chief temporal good is by some declared ‘ to consist in virtue and wealth; by some, in wealth ‘ and

'and lawful pleasure; by some, in virtue alone; by 'others, in wealth alone; but the chief good here 'below is an assemblage of all three: this is a sure 'decision.

225. 'A TEACHER of the *Véda* is the image of GOD; 'a natural father, the image of BRAHMA'; a mother, 'the image of the earth; an elder whole brother, the 'image of the soul.

226. 'Therefore a spiritual and a natural father, a 'mother, and an elder brother, are not to be treated 'with disrespect, especially by a *Bráhmen*, though the 'student be grievously provoked.

227. 'That pain and care which a mother and father 'undergo in producing and rearing children, cannot 'be compensated in an hundred years.

228. 'Let every man constantly do what may please 'his parents: and, on all occasions, what may please 'his preceptor: when those three are satisfied, his 'whole course of devotion is accomplished.

229. 'Due reverence to those three is considered 'as the highest devotion; and without their approba-'tion he must perform no other duty.

230. 'Since they alone are held equal to the three 'worlds; they alone, to the three principal orders; 'they alone, to the three *Vedas;* they alone, to the 'three fires:

231. 'The natural father is considered as the *gár-*

'*hapatya,*

CHAP. II. ‘ *hapatya*, or nuptial fire; the mother as the *dacshina*, ‘ or ceremonial; the spiritual guide, as the *áhavaníya*, ‘ or sacrificial: this triad of fires is most venerable.

232. ‘ He, who neglects not those three, when he ‘ becomes a house-keeper, will ultimately obtain dominion over the three worlds; and his body being irradiated like a God, he will enjoy supreme bliss in ‘ heaven.

233. ‘ By honouring his mother he gains this *terrestrial* world; by honouring his father, the intermediate, or *etherial;* and, by assiduous attention to ‘ his preceptor, even the *celestial* world of BRAHMA':

234. ‘ All duties are completely performed by that ‘ man, by whom those three are completely honoured; ‘ but to him by whom they are dishonoured, all ‘ other acts of duty are fruitless.

235. ‘ As long as those three live, so long he must ‘ perform no other duty *for his own sake:* but delighting in what may conciliate their affections and ‘ gratify their wishes, he must from day to day assiduously wait on them:

236 ‘ Whatever duty he may perform in thought, ‘ word, or deed, with a view to the next world, ‘ without derogation from his respect to them; he ‘ must declare to them his entire performance of it.

237. ‘ By honouring those three, without more, a ‘ man effectually does whatever ought to be done: ‘ this is the highest duty, appearing before us like

‘ DHERMA

'DHERMA himself, and every other act is an *upa-* '*dherma*, or subordinate duty.

238. 'A believer in scripture may receive pure 'knowledge even from a *Súdra;* a lesson of the 'highest virtue, even from a *Chandála;* and a woman, 'bright as a gem, even from the basest family:

239. 'Even from poison may nectar be taken; 'even from a child, gentleness of speech; even from 'a foe, prudent conduct; and even from an impure 'substance, gold.

240. 'From every quarter, therefore, must be se- 'lected women bright as gems, knowledge, virtue, 'purity, gentle speech, and various liberal arts.

241. 'In case of necessity, a student is required to 'learn the *Véda* from one who is not a *Bráhmen*, 'and, as long as that instruction continues, to ho- 'nour his instructor with obsequious assiduity;

242. 'But a pupil who seeks the incomparable path 'to heaven, should not live to the end of his days 'in the dwelling of a preceptor who is no *Bráhmen*, 'or who has not read all the *Védas* with their *Angas*.

243. 'If he anxiously desire to pass his whole life 'in the house of a sacerdotal teacher, he must serve 'him with assiduous care, till he be released from 'his mortal frame:

244. 'That *Bráhmen*, who has dutifully attended his 'preceptor, till the dissolution of his body, passes di- 'rectly to the eternal mansion of GOD.

245. 'LET

CHAP. II. 245. 'Let not a student, who knows his duty, 'present any gift to his preceptor *before his return* '*home;* but when, by his tutor's permission, he is 'going to perform the ceremony on his return, let 'him give the venerable man some valuable thing to 'the best of his power;

246. 'A field, or gold, a jewel, a cow, or a horse, 'an umbrella, a pair of sandals, a stool, corn, cloths, 'or even any *very excellent* vegetable: thus will he 'gain the affectionate remembrance of his instructor.

247. 'The student for life must, if his teacher die, 'attend on his virtuous son, or his widow, or on one 'of his paternal kinsmen, with the same respect which 'he showed to the living:

248. 'Should none of those be alive, he must oc-'cupy the station of his preceptor, the seat, and the 'place of religious exercises; must continually pay due 'attention to the fires, which he had consecrated; 'and must prepare his own soul for heaven.

249. 'The twice-born man, who shall thus without 'intermission have passed the time of his student-'ship, shall ascend, after death, to the most exalted 'of regions, and no more again spring to birth in 'this lower world.

CHAP. III.

On Marriage; or on the Second Order.

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1. ' The discipline of a student in the three *Védas* ' may be continued for thirty-six years, in the house ' of his preceptor; or for half that time, or for a quar- ' ter of it, or until he perfectly comprehend them: CHAP. III.

2. ' A student, whose rules have not been violated, ' may assume the order of a married man, after he ' has read in succession a *sác'há*, or branch from each ' of the three, or from two, or from any one of them.

3. ' Being justly applauded for the strict performance ' of his duty, and having received from his *natural or* ' *spiritual* father the sacred gift of the *Véda*, let him ' sit on an elegant bed, decked with a garland of ' flowers, and let his father honour him, before his ' nuptials, with a present of a cow.

4. ' Let the twice-born man, having obtained the ' consent of his venerable guide, and having performed ' his ablution with stated ceremonies, on his return ' home, as the law directs, espouse a wife of the same ' class with himself and endued with the marks of ' excellence.

5. ' She, who is not descended from his *paternal or* ' *maternal* ancestors, within the sixth degree, and who ' is not *known by her family name to be* of the same

CHAP. III.

'primitive stock with his father *or mother*, is eligible 'by a twice-born man for nuptials and holy union:

6. 'In connecting himself with a wife, let him studiously avoid the ten following families, be they ever 'so great, or ever so rich in kine, goats, sheep, gold 'and grain:

7. 'The family which has omitted prescribed acts of 'religion; that which has produced no male children; 'that, in which the *Véda* has not been read; that, which 'has thick hair on the body; and those, which have 'been subject to hemorrhoids, to phthisis, to dyspepsia, 'to epilepsy, to leprosy, and to elephantiasis.

8. 'Let him not marry a girl with reddish hair, nor 'with any deformed limb; nor one troubled with habitual sickness; nor one either with no hair or with too 'much; nor one immoderately talkative; nor one with 'inflamed eyes;

9. 'Nor one with the name of a constellation, or of 'a tree, or of a river, of a barbarous nation, or of a 'mountain, of a winged creature, a snake, or a slave; 'nor with any name raising an image of terrour.

10. 'Let him chuse for his wife a girl, whose form 'has no defect; who has an agreeable name; who 'walks *gracefully* like a phenicopteros, or like a young 'elephant; whose hair and teeth are moderate respectively in quantity and in size; whose body has exquisite softness.

11. 'Her, who has no brother, or whose father is

'not

'not well known, let no sensible man espouse, through 'fear lest, *in the former case,* her father should take 'her first son as his own *to perform his obsequies;* or, '*in the second case,* lest an illicit marriage should be 'contracted. CHAP. III.

12. 'For the first marriage of the twice-born classes, 'a woman of the same class is recommended; but for 'such as are impelled by inclination to marry again, 'women in the direct order of the classes are to be 'preferred:

13. A *Súdrà* woman only must be the wife of a '*Súdra;* she and a *Vaisyà,* of a *Vaisya;* they two 'and a *Cshatriyà,* of a *Cshatriya;* those two and a '*Bráhmenì* of a *Bráhmen.*

14 'A woman of the servile class is not mentioned, 'even in the recital of any ancient story, as the first 'wife of a *Bráhmen* or of a *Cshatriya,* though in the 'greatest difficulty to find a suitable match.

15. 'Men of the twice-born classes, who through 'weakness of intellect, irregularly marry women of 'the lowest class, very soon degrade their families 'and progeny to the state of *Súdras:*

16. 'According to ATRI and to (GO'TAMA) the son 'of UTAT'HYA, he who *thus* marries a woman of the 'servile class, *if he be a priest,* is degraded instantly; 'according to SAUNACA, on the birth of a son, *if he* '*be a warriour;* and, *if he be a merchant,* on the 'birth of a son's son, according to (me) BHRIGU.

17. 'A *Bráhmen,*

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17. 'A *Bráhmen*, if he take a *Súdrà* to his bed, *as* '*his first wife*, sinks to the regions of torment; if he 'beget a child by her, he loses even his priestly rank:

18. 'His sacrifices to the Gods, his oblations to 'the Manes, and his hospitable attentions to stran-'gers, must be supplied principally by her; but the 'Gods and Manes will not eat such offerings; nor 'can heaven be attained by such hospitality.

19. 'For the crime of him, who *thus illegally* drinks 'the moisture of a *Súdrà's* lips, who is tainted by her 'breath, and who even begets a child on her body, 'the law declares no expiation.

20. 'Now learn compendiously the eight forms of 'the nuptial ceremony, used by the four classes, some 'good and some bad in this world, and in the next:

21. 'The ceremony of BRAHMA', of the *Dévas*, of the '*Rĭshis*, of the *Prajápatis*, of the *Asuras*, of the '*Gandharvas*, and of the *Racshases;* the eighth and 'basest is that of the *Pisáchas*.

22. 'Which of them is permitted by law to each 'class and what are the good and bad properties of 'each ceremony, all this I will fully declare to you, 'together with the qualities, good and bad, of the 'offspring.

23. 'Let mankind know, that *the* six *first* in direct 'order are *by some held* valid in the case of a priest; 'the four last, in that of a warriour; and the same

'four,

'four, except the *Rácshasa* marriage, in the cases of 'a merchant and a man of the servile class: CHAP. III.

24. 'Some consider the four first only as approved 'in the case of a priest; one, that of *Racshases*, as 'peculiar to a soldier; and that of *Asuras*, to a mer-'cantile and a servile man.

25. 'But in this code, three of *the* five *last* are 'held legal, and two illegal: the ceremonies of *Pisá-'chas* and *Asuras* must never be performed.

26. 'For a military man the before mentioned mar-'riages of *Gandharvas* and *Racshases*, whether sepa-'rate or mixed, *as when a girl is made captive by her 'lover, after a victory over her kinsmen*, are permitted 'by law.

27. 'The gift of a daughter, clothed only with a 'single robe, to a man learned in the *Véda*, whom 'her father voluntarily invites, and respectfully re-'ceives, is the nuptial right called *Bráhma*.

28. 'The rite which sages call *Daiva*, is the gift of 'a daughter, whom her father has decked in gay attire, 'when the sacrifice is already begun, to the officiating 'priest, who performs that act of religion.

29. 'When the father gives his daughter away, after 'having received from the bridegroom one pair of kine, 'or two pairs, for uses prescribed by law, that marriage 'is termed *A'rsha*.

30. The nuptial rite called *Prájápatya*, is when the

'father

CHAP. III. 'father gives away his daughter with due honour, saying 'distinctly, "May both of you perform together your 'civil and religious duties!"

31. 'When the bridegroom, having given as much 'wealth as he can afford to the father and paternal 'kinsmen, and to the damsel herself, takes her volun'tarily as his bride, that marriage is named *A'sura.*

32. 'The reciprocal connexion of a youth and a 'damsel, with mutual desire, is the marriage deno'minated *Gándharva,* contracted for the purpose of 'amorous embraces, and proceeding from sensual in'clination.

33. The seizure of a maiden by force from her house, 'while she weeps and calls for assistance, after her 'kinsmen and friends have been slain in battle, or 'wounded, and their houses broken open, is the mar'riage styled *Rácshasa.*

34. 'When the lover secretly embraces the damsel, 'either sleeping or flushed with strong liquor, or dis'ordered in her intellect, that sinful marriage, called '*Paisácha,* is the eighth and the basest.

35. 'The gift of daughters in marriage by the sacer'dotal class, is most approved, when they *previously* 'have poured water *into the hands of the bridegroom;* 'but the ceremonies of the other classes may be per'formed according to their several fancies.

36. 'Among these nuptial rites, what quality is 'ascribed

'ascribed by MENU to each, hear now ye *Bráhmens*, 'hear it all from me, who fully declare it!

37. 'The son of a *Bráhmì, or wife by the first ceremony*, redeems from sin, if he performs virtuous acts, 'ten ancestors, ten descendants, and himself the 'twenty-first person.

38. 'A son, born of a wife by the *Daiva* nuptials, 'redeems seven and seven in higher and lower degrees; 'of a wife by the *A'rsha*, three and three; of a wife by 'the *Prájápatya*, six and six.

39. 'By four marriages, the *Bráhma* and so forth, 'in direct order, are born sons illumined by the *Véda*, '*learned men*, beloved by the learned,

40. 'Adorned with beauty, and with the quality of 'goodness, wealthy, famed, amply gratified with lawful enjoyments, performing all duties, and living a 'hundred years:

41. 'But in the other *four* base marriages, which 'remain, are produced sons acting cruelly, speaking 'falsely, abhorring the *Véda*, and the duties prescribed 'in it.

42. 'From the blameless nuptial rites of men spring 'a blameless progeny; from the reprehensible, a reprehensible offspring: let mankind, therefore, studiously 'avoid the culpable forms *of marriage*.

43. 'The ceremony of joining hands is appointed 'for those, who marry women of their own class;

CHAP. III. ‘ but, with women of a different class, the following ‘ nuptial ceremonies are to be observed:

44. ‘ By a *Cshatriyà* on her marriage with a *Bráhmen*, an arrow must be held in her hand; by a ‘ *Vaisyà* woman, with a bridegoom *of the sacerdotal* ‘ *or military class*, a whip; *and* by a *Súdrà* bride, ‘ *marrying a priest, a soldier, or a merchant*, must ‘ be held the skirt of a mantle.

45. ‘ Let the husband approach his wife in due ‘ season, *that is, at the time fit for pregnancy;* let ‘ him be constantly satisfied with her alone; but, except on the forbidden days of the moon, he may ‘ approach her, being affectionately disposed, *even out* ‘ *of due season*, with a desire of conjugal intercourse.

46. ‘ Sixteen days and nights in each month, with ‘ four distinct days neglected by the virtuous, are ‘ called the natural season of women:

47. ‘ Of those sixteen, the four first, the eleventh, ‘ and the thirteenth, are reprehended: the ten remaining nights are approved.

48. ‘ Some say, that on the even nights are conceived sons; on the odd nights daughters; therefore ‘ let the man, who wishes for a son, approach his ‘ wife in due season on the even nights;

49. ‘ But a boy is in truth produced by the greater ‘ quantity of the male strength; and a girl by a ‘ greater quantity of the female; by equality, an hermaphrodite,

'maphrodite, or a boy and a girl; by weakness or 'deficiency, is occasioned a failure of conception. CHAP. III.

50. 'He, who avoids conjugal embraces on the six 'reprehended nights and on eight others, is equal in 'chastity to a *Brahmachárì*, in whichever of the *two* '*next* orders he may live.

51. 'Let no father, who knows the law, receive a 'gratuity, however small, for giving his daughter in 'marriage; since the man, who, through avarice, 'takes a gratuity *for that purpose*, is a seller of his 'offspring.

52. 'Whatever male relations, through delusion of 'mind, take possession of a woman's property, be it 'only her carriages or her clothes, such offenders will 'sink to a region of torment.

53. 'Some say that the bull and cow *given* in the 'nuptial ceremony of the *Rishis*, are a bribe to the 'father; but this is untrue; a bribe *indeed*, whether 'large or small, is an actual sale of *the daughter*.

54. 'When money or goods are given to damsels, 'whose kinsmen receive them not for their own use, 'it is no sale: it is merely a token of courtesy and 'affection to the brides.

55. 'Married women must be honoured and adorned 'by their fathers and brethren, by their husbands, and 'by the brethren of their husbands, if they seek 'abundant prosperity:

 56. 'Where

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56. ‘ Where females are honoured, there the deities ‘ are pleased; but where they are dishonoured, there ‘ all religious acts become fruitless.

57. ‘ Where female relations are made miserable, the ‘ family of him who makes them so, very soon wholly ‘ perishes; but, where they are not unhappy, the fa- ‘ mily always increases.

58. ‘ On whatever houses the women of a family, ‘ not being duly honoured, pronounce an imprecation, ‘ those houses, with all that belong to them, utterly ‘ perish, as if destroyed by a sacrifice for the death ‘ of an enemy.

59. ‘ Let those women, therefore, be continually ‘ supplied with ornaments, apparel and food, at fes- ‘ tivals and at jubilees, by men desirous of wealth.

60 ‘ In whatever family the husband is contented ‘ with his wife, and the wife with her husband, in ‘ that house will fortune be assuredly permanent.

61. ‘ Certainly, if the wife be not elegantly attired, ‘ she will not exhilarate her husband; and if her lord ‘ want hilarity, offspring will not be produced.

62. ‘ A wife being gaily adorned, her whole house ‘ is embellished; but, if she be destitute of ornament, ‘ all will be deprived of decoration.

63. ‘ By culpable marriages, by omission of pre- ‘ scribed ceremonies, by neglect of reading the *Véda*, ‘ and

'and by irreverence toward a *Bráhmen*, great families 'are sunk to a low state:

64. 'So they are by practising manual arts, by *lend-'ing at interest and other* pecuniary transactions, by 'begetting children on *Súdràs* only, by traffick in 'kine, horses, and carriages, by agriculture and by 'attendance on a king.

65. 'By sacrificing for such as have no right to sa-'crifice, and by denying a future compensation for 'good works, great families, being deprived of sacred 'knowledge, are quickly destroyed;

66. 'But families, enriched by a knowledge of the '*Véda*, though possessing little temporal wealth, are 'numbered among the great, and acquire exalted fame.

67. 'Let the house-keeper perform domestick reli-'gious rites, with the nuptial fire, according to law, 'and the ceremonies of the five great sacraments, and 'the several acts which must day by day be per-'formed.

68. 'A house-keeper has five places of slaughter, '*or where small living creatures may be slain;* his 'kitchen-hearth, his grindstone, his broom, his pestle 'and mortar, his water-pot; by using which, he be-'comes in bondage to sin:

69. 'For the sake of expiating *offences committed 'ignorantly* in those places *mentioned* in order, the 'five great sacraments were appointed by eminent

'sages

CHAP. III. ‘ sages to be performed each day by such as keep ‘ house.

70. ‘ Teaching and studying the scripture is the sa- ‘ crament of the *Véda;* offering cakes and water, the ‘ sacrament of the Manes; an oblation to fire, the ‘ sacrament of the Deities; giving rice or other food ‘ to living creatures, the sacrament of spirits; re- ‘ ceiving guests with honour, the sacrament of men:

71. ‘ Whoever omits not those five great ceremo- ‘ nies, if he have ability *to perform them*, is untainted ‘ by the sins of the *five* slaughtering-places, even ‘ though he constantly reside at home;

72. ‘ But whoever cherishes not five orders of beings, ‘ *namely*, the deities; those, who demand hospitality; ‘ those, whom he ought by law to maintain; his de- ‘ parted forefathers; and himself; that man lives not ‘ even though he breathe.

73. ‘ Some call the five sacraments *ahuta* and *huta*, ‘ *prahuta*, *bráhmya-huta* and *prásita:*

74. ‘ *Ahuta*, or unoffered, is divine study; *huta*, or ‘ offered, is the oblation to fire; *prahuta*, or well ‘ offered, is the food given to spirits; *bráhmya-huta*, ‘ is respect shewn to twice-born guests; and *prásita*, ‘ or well eaten, is the offering of rice or water to ‘ the manes of ancestors.

75. ‘ Let every man in this second order employ ‘ himself daily in reading the scripture, and in per-

‘ forming

' forming the sacrament of the Gods; for, being em- CHAP. III.
' ployed in the sacrament of deities, he supports this
' whole animal and vegetable world;

76. ' Since his oblation of clarified butter, duly cast ' into the flame, ascends *in smoke* to the sun; from the ' sun *it* falls *in* rain; from rain comes vegetable food; ' and from *such* food animals *derive their subsistence*.

77. ' As all creatures subsist by receiving support ' from air, thus all orders of men exist by receiving ' support from house-keepers;

78. ' And since men of the three other orders are ' each day nourished by them with divine learning and ' with food, a house-keeper is for this reason of the ' most eminent order:

79. ' That order, therefore, must be constantly sus- ' tained with great care by the man who seeks unperish- ' able bliss in heaven, and in this world pleasurable ' sensations; an order which cannot be sustained by ' men with uncontrolled organs.

80. ' The divine sages, the manes, the gods, the ' spirits, and guests, pray for benefits to masters of ' families; let these honours, therefore, be done to ' them by the house-keeper who knows his duty:

81. ' Let him honour the Sages by studying the ' *Véda:* the Gods, by oblations to fire ordained by ' law; the Manes, by pious obsequies; men by supply- ' ing them with food; and spirits, by gifts to all ani- ' mated creatures.

82. ' Each

CHAP. III.

82. 'Each day let him perform a *sráddha* with boiled 'rice and the like, or with water, or with milk, roots, 'and fruit; for thus he obtains favour from departed 'progenitors.

83. 'He may entertain one *Bráhmen* in that sacra'ment among the five, which is performed for the '*Pitris;* but, at the oblation to all the Gods, let him 'not invite even a single priest.

84. 'In his domestick fire for dressing the food of 'all the Gods, after the prescribed ceremony, let a '*Bráhmen* make an oblation each day to these *fol*'*lowing* divinities;

85. 'First to AGNI, god of fire, and to the lunar 'god, severally; then, to both of them at once; next 'to the assembled gods; and afterwards, to DHAN'WANTARI, god of medicine;

86. 'To CUHU', goddess of the day, when the new 'moon is discernible; to ANUMATI, goddess of the day, 'after the opposition; to PRAJA'PATI, or the Lord of 'Creatures; to DYA'VA' and PRITHIVI', goddesses of sky 'and earth; and lastly, to the fire of the good sacri'fice.

87. 'Having thus, with fixed attention, offered cla'rified butter in all quarters, proceeding *from the east* 'in a southern direction, to INDRA, YAMA, VARUNA, and 'the god SO'MA, let him offer his gift to animated 'creatures:

88. '*Saying*,

88. ' *Saying*, " I salute the *Maruts*," or *Winds*, ' let him throw dressed rice near the door; *saying*, ' " I salute the water-gods," in water; and on his ' pestle and mortar, *saying*, " I salute the gods of ' large trees." CHAP. III.

89. ' Let him do the like *in the north-east, or* near ' his pillow, to SRI', the goddess of abundance; *in* ' *the south-west, or* at the foot *of his bed*, to the pro- ' pitious goddess BHADRACA'LI'; in the centre of his ' mansion, to BRAHMA' and his household god;

90. ' To all the Gods assembled, let him throw up ' his oblation in the open air; by day, to the spirits ' who walk in light; and by night, to those who walk ' in darkness:

91. ' In the building on his house-top, *or behind* ' *his back*, let him cast his oblation for the welfare ' of all creatures; and what remains let him give to ' the *Pitrĭs* with his face toward the south:

92. ' The share of dogs, of outcasts, of dog-feeders, ' of sinful men, punished with elephantiasis or con- ' sumption, of crows, and of reptiles, let him drop ' on the ground by little and little.

93. ' A *Bráhmen*, who thus each day shall honour ' all beings, will go to the highest region in a straight ' path, in an irradiated form.

94. ' When he has performed his duty of making ' oblations, let him cause his guest to take food be-

CHAP. III. 'fore himself; and let him give a portion of rice, as 'the law ordains, to the mendicant who studies the '*Véda*:

95. 'Whatever fruit shall be obtained by that student, as the reward of his virtue, when he shall have 'given a cow to his preceptor, according to law, the 'like reward to virtue shall be obtained by the twice-born house-keeper, when he has given a mouthful 'of rice *to the religious mendicant.*

96. 'To a *Bráhmen* who knows the true principle 'of the *Véda,* let him present a portion of rice, or a 'pot of water, garnished with fruit and flowers, due 'ceremonies having preceded:

97. 'Shares of oblations to the Gods, or to the 'Manes, utterly perish, when presented, through delusion of mind, by men regardless of duty, to such 'ignorant *Bráhmens* as are mere ashes;

98. 'But an offering in the fire of a sacerdotal 'mouth, which richly blazes with true knowledge and 'piety, will release the giver from distress, and even 'from deadly sin.

99. 'To the guest who comes of his own accord, 'let him offer a seat and water, with such food as he 'is able to prepare, after the due rites of courtesy.

100. 'A *Bráhmen* coming as a guest, and not received with just honour, takes to himself all the 'reward of the house-keeper's former virtue, even 'though he had been so temperate as to live on the

'gleanings

'gleanings of harvests, and so pious as to make oblations in five distinct fires. CHAP. III.

101. 'Grass and earth to sit on, water to wash the 'feet, and, fourthly, affectionate speech are at no time 'deficient in the mansions of the good, *although they* '*may be indigent.*

102. 'A *Bráhmen*, staying but one night as a guest, 'is called an *atit'hi;* since continuing so short a time, 'he is not even a sojourner for a whole *tit'hi*, or *day* '*of the moon.*

103. 'The house-keeper must not consider as an '*atit'hi* a mere visitor of the same town, or a *Bráh-* '*men*, who attends him on business, even though he 'come to the house where his wife dwells, and where 'his fires are kindled.

104. 'Should any house-keepers be so senseless, as 'to seek, on pretence of being guests, the food of 'others, they would fall after death, by reason of 'that baseness, to the condition of cattle belonging to 'the giver of such food.

105. 'No guest must be dismissed in the evening by 'a house-keeper; he is sent by the retiring sun; and, 'whether he come in fit season or unseasonably, he 'must not sojourn in the house without entertainment.

106. 'Let not himself eat any delicate food, without 'asking his guest to partake of it: the satisfaction of

CHAP. III. ‘ a guest will assuredly bring the house-keeper wealth, ‘ reputation, long life, and a place in heaven.

107. ‘ To the highest guests in the best form, to the ‘ lowest in the worst, to the equal, equally, let him ‘ offer seats, resting places, couches; giving them ‘ proportionable attendance, when they depart; and ‘ honour, as long as they stay.

108. ‘ Should another guest arrive, when the obla-‘ tion to all the Gods is concluded, for him also let ‘ the house-keeper prepare food, according to his abi-‘ lity; but let him not repeat his offerings to animated ‘ beings.

109. ‘ Let no *Bráhmen* guest proclaim his family and ‘ ancestry for the sake of an entertainment; since he, ‘ who thus proclaims them, is called by the wise a ‘ *vántásí*, or foul-feeding demon.

110. ‘ A military man is not denominated a guest in ‘ the house of a *Bráhmen;* nor a man of the com-‘ mercial or servile class; nor his familiar friend; nor ‘ his paternal kinsman; nor his preceptor:

111. ‘ But if a warriour come to his house in the ‘ form of a guest, let food be prepared for him, ac-‘ cording to his desire, after the before-mentioned ‘ *Bráhmens* have eaten.

112. ‘ Even to a merchant or a labourer, approach-‘ ing his house in the manner of guests, let him give ‘ food,

'food, showing marks of benevolence at the same time 'with his domesticks:

113. 'To others, as familiar friends, and the rest 'before-named, who come with affection to his place 'of abode, let him serve a repast at the same time 'with his wife *and himself*, having amply provided it 'according to his best means.

114. 'To a bride, and to a damsel, to the sick, and 'to pregnant women, let him give food, even before 'his guests, without hesitation.

115. 'The idiot, who first eats his own mess, without 'having presented food to the persons just enumerated, 'knows not, while he crams, that he will himself be 'food after death for bandogs and vultures.

116. 'After the repast of the *Bráhmen* guest, of his 'kinsmen, and his domesticks, the married couple may 'eat what remains untouched.

117. 'The house-keeper, having honoured spirits, 'holy sages, men, progenitors, and household gods, 'may feed on what remains after those oblations.

118. 'He, who eats what has been dressed for him-'self only, eats nothing but sin: a repast on what 'remains after the sacrament is called the banquet of 'the good.

119. 'After a year from the reception of a visitor, 'let the house-keeper again honour a king, a sacrificer, 'a student returned from his preceptor, a son in-law,

'a fa-

CHAP. III.

'a father-in-law, and a maternal uncle, with a *madhu-perca, or present of honey, curds, and fruit.*

120. 'A king or a *Bráhmen* arriving at the celebration of the sacrament, are to be honoured with a *madhuperca;* but not, if the sacrament be over: this is a settled rule.

121. 'In the evening let the wife make an offering of the dressed food, but without pronouncing any text of the *Véda:* one oblation to the assembled gods, thence named *Vaiswadéva*, is ordained both for evening and morning.

122. 'From month to month, on the dark day of the moon, let a twice-born man, having finished the daily sacrament of the *Pitrĭs*, and his fire being still blazing, perform the solemn *sráddha*, called *pindánwáhárya:*

123. 'Sages have distinguished the monthly *sráddha* by the title of *anwáhárya*, or *after eaten*, that is, eaten after the *pinda*, or ball of rice; and it must be performed with extreme care, and with flesh-meat in the best condition.

124. 'What *Bráhmens* must be entertained at that ceremony, and who must be excepted, how many are to be fed, and with what sorts of food, on all those articles, without omission, I will fully discourse.

125. 'At the *sráddha* of the gods he may entertain two *Bráhmens;* at that of his father, paternal grandfather, and paternal great-grandfather, three; or one

'only

'only at that of the gods, and one at that for his 'three paternal ancestors: though he abound in 'wealth, let him not be solicitous to entertain a large 'company. CHAP. III.

126. 'A large company destroys these five advantages; reverence to priests, propriety of time and 'place, purity, and the acquisition of virtuous *Bráh-* '*mens:* let him not therefore, endeavour to feed a 'superfluous number.

127. 'This act of due honour to departed souls, on 'the dark day of the moon, is famed by the appellation of *pitrya*, or ancestral: the legal ceremony, in 'honour of departed spirits, rewards with continual 'fruit, a man engaged in such obsequies.

128. 'Oblations to the gods and to ancestors should 'be given to a most reverend *Bráhmen*, perfectly conversant with the *Véda;* since what is given to him 'produces the greatest reward.

129. 'By entertaining one learned man at the oblation to the gods and at that to ancestors, he gains 'more exalted fruit than by feeding a multitude, who 'know not the holy texts.

130. 'Let him inquire into the ancestry, even in a 'remote degree, of a *Bráhmen*, who has advanced to 'the end of the *Véda:* such a man, if sprung fromgood 'men, is a fit partaker of oblations to gods and 'to ancestors; such a man may justly be called an '*atit'hi*, or guest.

131. 'Surely,

131. 'Surely, though a million of men, unlearned 'in holy texts, were to receive food, yet a single man, 'learned in scripture, and fully satisfied with his en- 'tertainment, would be of more value than all of them 'together.

132. 'Food, consecrated to the gods and the manes, 'must be presented to a theologian of eminent learn- 'ing; for certainly, when hands are smeared with 'blood, they cannot be cleaned with blood only, *nor* '*can sin be removed by the company of sinners.*

133. 'As many mouthfuls as an unlearned man shall 'swallow at an oblation to the gods and to ancestors, 'so many *redhot* iron balls must the giver of the *srád-* '*dha* swallow in the next world.

134. 'Some *Bráhmens* are intent on scriptural know- 'ledge; others, on austere devotion; some are intent 'both on religious austerity and on the study of the '*Véda;* others on the performance of sacred rites:

135. 'Oblations to the manes of ancestors ought to 'be placed with care before such as are intent on 'sacred learning: but offerings to the gods may be 'presented, with due ceremonies, to *Bráhmens* of all 'the four descriptions.

136. 'There may be a *Bráhmen,* whose father had 'not studied the scripture, though the son has ad- 'vanced to the end of the *Véda;* or there may be 'one, whose son has not read the *Véda,* though the 'father had travelled to the end of it:

137. 'Of

137. 'Of those two let mankind consider him as the 'superiour, whose father had studied the scripture, yet 'for the sake of performing rites with holy texts, the 'other is worthy of honour. CHAP. III.

138. 'Let no man, at the prescribed obsequies, give 'food to an intimate friend; since advantage to a friend 'must be procured by gifts of different property: to 'that *Bráhmen* let the performer of a *sráddha* give 'food, whom he considers neither as a friend nor as 'a foe.

139. 'For him, whose obsequies and offerings of 'clarified butter are provided chiefly through friend-'ship, no fruit is reserved in the next life, on account 'either of his obsequies or of his offerings.

140. 'The man, who, through delusion of intellect, 'forms temporal connexions by obsequies, is excluded 'from heavenly mansions, as a giver of the *sráddha* 'for the sake of friendship, and the meanest of twice-'born men:

141. 'Such a convivial present, by men of the three 'highest classes, is called the gift of *Pisáchas,* and 'remains fixed here below, like a blind cow in one 'stall.

142. 'As a husbandman, having sown seed in a 'barren soil, reaps no grain, thus a performer of holy 'rites, having given clarified butter to an unlearned '*Bráhmen,* attains no reward in heaven;

143. 'But a present made, as the law ordains, to a

CHAP. III. 'learned theologian, renders both the giver and the 'receiver partakers of good fruits in this world and in 'the next.

144. 'If no learned *Bráhmen* be at hand, he may at 'his pleasure invite a friend to the *sráddha*, but not a 'foe, be he ever so learned; since the oblation, being 'eaten by a foe, loses all fruit in the life to come.

145. 'With great care let him give food at the *sráddha* to a priest, who has gone through the scripture, 'but has chiefly studied the *Rigvéda;* to one, who has 'read all the branches, but principally those of the '*Yajush;* or to one who has finished the whole, with 'particular attention to the *Sáman:*

146. 'Of that man whose oblation has been eaten, 'after due honours, by any one of those three *Bráhmens*, the ancestors are constantly satisfied as high 'as the seventh person, *or to the sixth degree.*

147. 'This is the chief rule in offering the *sráddha* 'to the gods and to ancestors; but the following may 'be considered as a subsidiary rule, *where no such* '*learned priests can be found*, and is ever observed 'by good men:

148. 'Let him entertain his maternal grandfather, his 'maternal uncle, the son of his sister, the father of his 'wife, his spiritual guide, the son of his daughter, or 'her husband, his maternal cousin, his officiating 'priest, or the performer of his sacrifice.

149. 'For an oblation to the gods, let not the man, 'who

'who knows what is law, scrupulously inquire into the 'parentage of a *Bráhmen;* but for a prepared oblation 'to ancestors let him examine it with strict care. CHAP. III.

150. 'Those *Bráhmens,* who have committed any '*inferiour* theft *or any of the higher crimes,* who are 'deprived of virility, or who profess a disbelief in a 'future state, MENU has pronounced unworthy of ho'nour at a *sráddha* to the gods or to ancestors.

151. 'To a student in theology, who has not read 'the *Véda,* to a man *punished for past crimes by being* 'born without a prepuce, to a gamester, and to such 'as perform many sacrifices for other men, let him 'never give food at the sacred obsequies.

152. 'Physicians, image-worshippers for gain, sellers 'of meat, and such as live by low traffick, must be 'shunned in oblations both to the deities and to pro'genitors.

153. 'A public servant of the whole town, or of the 'prince, a man with whitlows on his nails, or with 'black-yellow teeth, an opposer of his preceptor, a 'deserter of the sacred fire, and an usurer,

154. 'A phthisical man, a feeder of cattle, one 'omitting the five great sacraments, a contemner of '*Bráhmens,* a younger brother married before the elder, 'an elder brother not married before the younger, and 'a man who subsists by the wealth of many relations,

155. 'A dancer, one who has violated the rule of 'chastity in the first or fourth order, the husband of a

M 2 '*Súdrà,*

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'*Súdrà*, the son of a twice-married woman, a man who 'has lost one eye, and a husband in whose house an 'adulterer dwells,

156. 'One who teaches the *Véda* for wages, and one 'who gives wages to such a teacher, the pupil of a *Sú-'dra*, and the *Súdra* preceptor, a rude speaker, and the 'son of an adulteress, born either before or after the 'death of the husband,

157. 'A forsaker, without just cause, of his mother, 'father or preceptor, and a man who forms a connexion, 'either by scriptural or connubial affinity, with great 'sinners,

158. 'A house-burner, a giver of poison, an eater of 'food offered by the son of an adulteress, a seller of 'the moon-plant *(a species of mountain-rue)*, a navigator 'of the ocean, a poetical encomiast, an oilman, and a 'suborner of perjury,

159. 'A wrangler with his father, an employer of 'gamesters for his own benefit, a drinker of intoxica-'ting spirits, a man punished for sin with elephantiasis, 'one of evil repute, a cheat, and a seller of liquids,

160. 'A maker of bows and arrows, the husband of 'a younger sister married before the elder *of the whole 'blood*, an injurer of his friend, the keeper of a gam-'ing-house, and a father instructed in the *Véda* by his 'own son,

161. 'An epileptick person, one who has the ery-

'sipelas

'sipelas or the leprosy, a common informer, a luna- 'tick, a blind man, and a despiser of scripture, must 'all be shunned. CHAP. III.

162. 'A tamer of elephants, bulls, horses, or camels, 'a man who subsists by astrology, a keeper of birds, 'and one who teaches the use of arms,

163. 'He, who diverts watercourses, and he, who 'is gratified by obstructing them, he, who builds 'houses for gain, a messenger, and a planter of trees '*for pay*,

164. 'A breeder of sporting-dogs, a falconer, a se- 'ducer of damsels, a man delighting in mischief, a '*Bráhmen* living as a *Súdra*, a sacrificer to the infe- 'riour gods only,

165. 'He, who observes not approved customs, and 'he, who regards not prescribed duties, a constant 'importunate asker of favours, he, who supports him- 'self by tillage, a clubfooted man, and one despised 'by the virtuous,

166. 'A shepherd, a keeper of buffalos, the husband 'of a twice-married woman, and the remover of dead 'bodies *for pay*, are to be avoided with great care.

167. 'Those lowest of *Bráhmens*, whose manners 'are contemptible, who are not admissible into com- 'pany at a repast, an exalted and learned priest must 'avoid at both *sráddhas*.

168. 'A *Bráhmen* unlearned in holy writ, is extin-

'guished

CHAP. III. ‘ guished in an instant like a fire of dry grass: to him ‘ the oblation must not be given; for the clarified but- ‘ ter must not be poured on ashes.

169. ‘ What retribution is prepared in the next life ‘ for the giver of food to men inadmissible into com- ‘ pany, at the *sráddha* to the gods and to ancestors, ‘ I will now declare without omission.

170. ‘ On that food, which has been given to *Bráh- ‘ mens* who have violated the rules of their order, to ‘ the younger brother married before the elder, and ‘ to the rest who are not admissible into company, ‘ the *Racshases* eagerly feast.

171. ‘ He, who makes a marriage-contract with the ‘ connubial fire, while his elder brother continues un- ‘ married, is called a *perivéttrĭ;* and the elder brother ‘ a *perivitti:*

172. ‘ The *perivéttrĭ*, the *perivitti*, the damsel thus ‘ wedded, the giver of her in wedlock, and, fifthly, ‘ the performer of the nuptial sacrifice, all sink to ‘ a region of torment.

173. ‘ He, who lasciviously dallies with the widow ‘ of his deceased brother, though she be legally mar- ‘ ried to him, is denominated the husband of a *di- ‘ dhishú*.

174. ‘ Two sons, named a *cunda* and a *gólaca*, are ‘ born in adultery; the *cunda*, while the husband is ‘ alive, and the *gólaca*, when the husband is dead:

175. ‘ Those

175. 'Those animals begotten by adulterers, destroy, 'both in this world and in the next, the food pre- 'sented to them by such as make oblations to the 'gods or to the manes.

176. 'The foolish giver of a *sráddha* loses, in a fu- 'ture life, the fruit of as many admissible guests, as 'a *thief or the like* person, inadmissible into com- 'pany, might be able to see.

177. 'A blind man placed where one with eyes 'might have seen, destroys the reward of ninety; he, 'who has lost one eye, of sixty; a leper, of an hun- 'dred; one punished with elephantiasis, of a thou- 'sand.

178. 'Of the gift at a *sráddha*, to as many *Bráh- 'mens*, as a sacrificer for a *Súdra* might be able to 'touch on the body, the fruit is lost to the giver, *if 'he invite such a wretch;*

179. 'And if a *Bráhmen* who knows the *Véda*, 'receive through covetousness a present from such a 'sacrificer, he speedily sinks to perdition, like a 'figure of unburnt clay in water.

180. 'Food given to a seller of the moon-plant, 'becomes ordure in another world; to a physician pu- 'rulent blood; *and the giver will be a reptile bred in 'them;* if offered to an image-worshipper, it is 'thrown away; if to an usurer, infamous.

181. 'That which is given to a trader, endures

'neither

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'neither in this life nor in the next, and that bestowed on a *Bráhmen*, who has married a widow, resembles clarified butter poured on ashes as an oblation to fire.

182. 'That food, which is given to other base, inadmissible men, before mentioned, the wise have pronounced to be no more than animal oil, blood, flesh, skin, and bones.

183. 'Now learn comprehensively, by what *Bráhmens* a company may be purified, when it has been defiled by inadmissible persons; *Bráhmens*, the chief of their class, the purifiers of every assembly.

184. 'Those priests must be considered as the purifiers of a company who are most learned in all the *Védas* and in all their *Angas*, together with their descendants who have read the whole scripture:

185. 'A priest learned in a principal part of the *Yajurveda;* one who keeps the five fires constantly burning; one skilled in a principal part of the *Rigvéda;* one who explains the six *Védángas;* the son of a *Bráhmì*, or woman married by the *Bráhma* ceremony; and one who chants the principal *Sáman;*

186. 'One who propounds the sense of the *Védas*, which he learnt from his preceptor, a student who has given a thousand *cows for pious uses*, and a *Bráhmen* a hundred years old, must all be considered as the purifiers of a party at a *sráddha*.

187. 'On

187. 'On the day before the sacred obsequies, or on 'the very day when they are prepared, let the performer of them invite, with due honour, such *Bráhmens* as have been mentioned; *usually* one superiour, 'who has three inferiour to him.

188. 'The *Bráhmen*, who has been invited to a '*sráddha* for departed ancestors, must be continually 'abstemious; he must not even read the *Védas;* and 'he, who performs the ceremony, must act in the 'same manner.

189. 'Departed ancestors, no doubt, are attendant 'on such invited *Bráhmens;* hovering around them like 'pure spirits, and sitting by them, when they are seated.

190. 'The priest, who having been duly invited to a '*sráddha*, breaks the appointment, commits a grievous 'offence, and, in his next birth, becomes a hog.

191. 'He, who caresses a *Súdrà* woman, after he has 'been invited to sacred obsequies, takes on himself all 'the sin, that has been committed by the giver of the 'repast.

192. 'The *Pitrìs* or *great progenitors*, are free from 'wrath, intent on purity, ever exempt from sensual 'passions, endued with exalted qualities: they are primeval divinities, who have laid arms aside.

193. 'HEAR now completely, from whom they sprang; 'who they are; by whom, and by what ceremonies 'they are to be honoured.

194. 'The sons of MARI'CHI and of all the other

 '*Rìshis*

CHAP. III. ‘ *Rishis*, who were the offspring of MENU, son of BRAH-‘MA', are called the companies of *Pitris*, or *fore-‘fathers*.

195. ‘ The *Sómasads*, who sprang from VIRA'J, are ‘ declared to be the ancestors of the *Sádhyas;* and the ‘ *Agnishwáttas*, who are famed among created beings ‘ as the children of MARI'CHI, to be the progenitors of ‘ the *Dévas*.

196. ‘ Of the *Daityas*, the *Dánavas*, the *Yacshas*, ‘ the *Gandharvas*, the *Uragas*, or *Serpents*, the *Rac-‘shases*, the *Garudas*, and the *Cinnaras*, the ancestors ‘ are *Barhishads* descended from ATRI;

197. ‘ Of *Bráhmens*, those named *Sómapas;* of ‘ *Cshatriyas*, the *Havishmats;* of *Vaisyas*, those called ‘ *A'jyapas;* of *Súdras*, the *Sucálins:*

198. ‘ The *Sómapas* descended from *Me*, BHRIGU; ‘ the *Havishmats*, from ANGIRAS; the *A'jyapas*, from ‘ PULASTYA; the *Sucálins*, from VASISHT'HA.

199. ‘ Those who are, and those who are not, con-‘sumable by fire, called *Agnidagdhas*, and *Anag-‘nidagdhas*, the *Cávyas*, the *Barhishads*, the *Agnish-‘wáttas*, and the *Saumyas*, let mankind consider as ‘ the chief progenitors of *Bráhmens*.

200. ‘ Of those just enumerated, who are generally ‘ reputed the principal tribes of *Pitris*, the sons and ‘ grandsons indefinitely, are also in this world con-‘sidered as great progenitors.

201. ‘ From the *Rishis* come the *Pitris*, or pa-‘triarchs;

'triarchs; from the *Pitrĭs*, both *Dévas* and *Dánavas;* CHAP. III.
'from the *Dévas*, this whole world of animals and 'vegetables, in due order.

202. 'Mere water, offered with faith to the progenitors of men, in vessels of silver, or adorned with 'silver, proves the source of incorruption.

203. 'An oblation by *Bráhmens* to their ancestors 'transcends an oblation to the deities; because that 'to the deities is considered as the opening and completion of that to ancestors.

204. 'As a preservative of the oblation to the patriarchs, let the house-keeper begin with an offering 'to the gods; for the *Racshases* rend in pieces an oblation which has no such preservative.

205. 'Let an offering to the gods be made at the 'beginning and end of the *sráddha:* it must not begin 'and end with an offering to ancestors; for he, who 'begins and ends it with an oblation to the *Pitrĭs*, 'quickly perishes with his progeny.

206. 'Let the *Bráhmen* smear with cow-dung a 'purified and sequestered piece of ground; and let 'him, with great care, select a place with a declivity 'toward the south:

207. 'The divine manes are always pleased with an 'oblation in empty glades, naturally clean, on the 'banks of rivers, and in solitary spots.

208. 'Having duly made an ablution with water, 'let him place the invited *Bráhmens*, who have also

 'performed

CHAP. III. ' performed their ablutions, one by one, on allotted ' seats purified with *cusa*-grass.

209. ' When he has placed them with reverence on ' their seats, let him honour them, (having first ho- ' noured the Gods) with fragrant garlands and sweet ' odours.

210. ' Having brought water for them with *cusa*-grass ' and *tila*, let the *Bráhmen*, with the *Bráhmens*, pour ' the oblation, as the law directs, on the holy fire.

211. ' First, as it is ordained, having satisfied AGNI, ' SOMA, and YAMA, with clarified butter, let him pro- ' ceed to satisfy the manes of his progenitors.

212. ' If he have no consecrated fire, *as if he be yet* ' *unmarried, or his wife be just deceased*, let him drop ' the oblation into the hand of a *Bráhmen;* since, what ' fire is, even such is a *Bráhmen;* as priests, who know ' the *Véda* declare:

213. ' Holy sages call the chief of the twice-born ' the gods of obsequies, free from wrath, with placid ' aspects, of a primeval race, employed in the advance- ' ment of human creatures.

214. ' Having walked in order from east to south, ' and thrown into the fire all the ingredients of his ' oblation, let him sprinkle water on the ground with ' his right hand.

215. ' From the remainder of the clarified butter ' having formed three balls of rice, let him offer them, ' with

'with fixed attention, in the same manner as the 'water, his face being turned to the south:

216. 'Then having offered those balls, after due 'ceremonies and with an attentive mind, *to the manes 'of his father, his paternal grandfather, and great 'grandfather*, let him wipe the same hand with the 'roots of *cusa*, which he had before used, for the 'sake of *his paternal ancestors in the fourth, fifth, and 'sixth degrees, who are* the partakers of the rice and 'clarified butter *thus* wiped off.

217. 'Having made an ablution, returning toward the 'north, and thrice suppressing his breath slowly, let 'him salute the Gods of the six seasons, and the '*Pitrĭs* also, being well acquainted with proper texts 'of the *Véda*.

218. 'Whatever water remains in his ewer, let him 'carry back deliberately near the cakes of rice; and, 'with fixed attention, let him smell those cakes, in 'order as they were offered:

219. 'Then, taking a small portion of the cakes in 'order, let him first, as the law directs, cause the '*Bráhmens* to eat of them, while they are seated.

220. 'If his father be alive, let him offer the *sráddha* to his ancestors in *three* higher degrees; or let 'him cause his own father to eat, as a *Bráhmen* at the 'obsequies:

221. 'Should his father be dead, and his grandfather 'living, let him, in celebrating the name of his father, '*that*

CHAP. III. ‘ *that is, in performing obsequies to him*, celebrate also ‘ his paternal great grandfather;

222. ‘ Either the paternal grandfather may partake ‘ of the *sráddha* (so has MENU declared) or the grand- ‘ son, authorized by him, may perform the ceremony ‘ at his discretion.

223. ‘ Having poured water, with *cusa*-grass and *tila*, ‘ into the hands of the *Bráhmens*, let him give them ‘ the upper part of the cakes, saying “ *Swadhá* to ‘ the manes!”

224. ‘ Next, having himself brought with both hands, ‘ a vessel full of rice, let him, still meditating on the ‘ *Pitrĭs*, place it before the *Bráhmens* without precipi- ‘ tation.

225. ‘ Rice taken up, but not supported with both ‘ hands, the malevolent *Asuras* quickly rend in pieces.

226. ‘ Broths, potherbs, and other eatables accom- ‘ panying the rice, together with milk and curds, ‘ clarified butter and honey, let him first place on the ‘ ground, after he has made an ablution; and let his ‘ mind be intent on no other object:

227. ‘ Let him add spiced puddings, and milky ‘ messes of various sorts, roots of herbs and ripe ‘ fruits, savoury meats, and sweet smelling drinks.

228. ‘ Then being duly purified, and with perfect ‘ presence of mind, let him take up all the dishes, ‘ one by one, and present them in order to the *Bráh-* ‘ *mens*, proclaiming their qualities.

229. ‘ Let

229. ' Let him at no time drop a tear; let him on ' no account be angry; let him say nothing false; ' let him not touch the eatables with his foot; let ' him not even shake the dishes: CHAP. III.

230. ' A tear sends the messes to restless ghosts; ' anger, to foes; falsehood, to dogs; contact with ' his foot, to demons; agitation, to sinners.

231. ' Whatever is agreeable to the *Bráhmens,* let ' him give without envy; and let him discourse on ' the attributes of GOD: such discourse is expected ' by the manes.

232. ' At the obsequies to ancestors, he must let ' the *Bráhmens* hear passages from the *Véda,* from ' the codes of law, from moral tales, from heroick ' poems, from the *Puránas,* and from theological texts.

233. ' Himself being delighted, let him give delight ' to the *Bráhmens,* and invite them to eat of the pro-' visions by little and little; attracting them often ' with the dressed rice and other eatables, and men-' tioning their good properties.

234. ' To the son of his daughter, though a stu-' dent in theology, let him carefully give food at the ' *sráddha;* offering him a blanket *from Népàl* as his ' seat, and sprinkling the ground with *tila.*

235. ' Three things are held pure at such obsequies, ' the daughter's son, the *Népàl* blanket, and the *tila;* ' and three things are praised in it by the wise, clean-

' liness,

CHAP. III. 'liness, freedom from wrath, and want of precipi-'tate haste.

236. 'Let all the dressed food be very hot; and 'let the *Bráhmens* eat it in silence; nor let them de-'clare the qualities of the food, even though asked 'by the giver.

237. 'As long as the messes continue warm, as long 'as they eat in silence, as long as the qualities of the 'food are not declared by them, so long the manes 'feast on it.

238. 'What a *Bráhmen* eats with his head covered, 'what he eats with his face to the south, what he 'eats with sandals on his feet, the demons assuredly 'devour.

239. 'Let not a *Chandála*, a town-boar, a cock, a 'dog, a woman in her courses, or an eunuch, see 'the *Bráhmens* eating:

240. 'That, which any one of them sees at the ob-'lation to fire, at a solemn donation of cows and 'gold, at a repast given to *Bráhmens*, at holy rites 'to the gods, and at the obsequies to ancestors, 'produces not the intended fruit:

241. 'The boar destroys it by his smell; the cock, 'by the air of his wings; the dog, by the cast of a 'look; the man of the lowest class, by the touch.

242. 'If a lame man, or a man with one eye, or 'a man with a limb defective or redundant, be even

'a servant

'a servant of the giver, him also let his master re- 'move from the place. CHAP. III.

243. 'Should another *Bráhmen*, or a mendicant, come '*to his house* for food, let him, having obtained per- 'mission from the invited *Bráhmens*, entertain the 'stranger to the best of his power.

244. 'Having brought together all the sorts of food, 'as dressed rice and the like, and sprinkling them 'with water, let him place them before the *Bráhmens*, 'who have eaten; dropping some *on the blades of* 'cusa-*grass, which have been spread* on the ground.

245. 'What remains in the dishes, and what has 'been dropped on the blades of *cusa*, must be consi- 'dered as the portion of deceased *Bráhmens*, not girt 'with the sacrificial thread, and of such as have de- 'serted unreasonably the women of their own tribe.

246. 'The residue, that has fallen on the ground 'at the *sráddha* to the manes, the wise have decided 'to be the share of all the servants, who are not 'crooked in their ways, nor lazy and ill-disposed.

247. 'Before the obsequies to ancestors as far as 'the sixth degree, they must be performed to a *Bráh-* '*men* recently deceased; but the performer of them 'must, *in that case*, give the *sráddha* without the ce- 'remony to the Gods, and offer only one round cake; '*and these obsequies for a single ancestor should be an-* '*nually performed on the day of his death:*

248. 'When, *afterwards*, the obsequies to ancestors

CHAP. III. 'as far as the sixth degree, inclusively of him, are 'performed according to law, then must the offering 'of cakes be made by the descendants in the manner 'before ordained *for the monthly ceremonies.*

249. 'That fool, who, having eating of the *sráddha,* 'gives the residue of it to a man of the servile class, 'falls headlong down to the hell, named *Cálasútra.*

250. 'Should the eater of a *sráddha* enter, on the 'same day, the bed of a seducing woman, his ances- 'tors would sleep for that month on her excrement.

251. 'Having, by the word *swaditam,* asked the '*Bráhmens* if they have eaten well, let him give them, 'being satisfied, water for an ablution, and cour- 'teously say to them: "Rest either at home or here."

252. 'Then let the *Bráhmens* address him, saying '*swadhá;* for in all ceremonies relating to deceased 'ancestors, the word *swadhá* is the highest benison.

253. 'After that, let him inform those, who have 'eaten, of the food which remains; and, being in- 'structed by the *Bráhmens,* let him dispose of it, as 'they may direct.

254. 'At the close of the *sráddha* to his ancestors, 'he must ask, if the *Bráhmens* are satisfied, by the 'word *swadita;* after that for his family, by the word '*susruta;* after that for his own advancement, by the 'word *sampanna;* after that, which has been offered 'to the gods, by the word *ruchita.*

255. 'The

255. 'The afternoon, the *cusa*-grass, the cleansing 'of the ground, the *tilas*, the liberal gifts of food, 'the due preparation for the repast, and the company 'of most exalted *Bráhmens*, are true riches in the 'obsequies to ancestors. CHAP. III.

256. 'The blades of *cusa*, the holy texts, the fore-'noon, all the oblations, *which will presently be enu-'merated*, and the purification before mentioned, are to 'be considered as wealth in the *sráddha* to the gods:

257. 'Such wild grains as are eaten by hermits, 'milk, the juice of the moon-plant, meat untainted, 'and salt unprepared by art, are held things fit, in 'their own nature, for the last mentioned offering.

258. 'Having dismissed the invited *Bráhmens*, keep-'ing his mind attentive, and his speech suppressed, 'let him, after an ablution, look toward the south, 'and ask these blessings of the *Pitrǐs:*

259. '"May generous givers abound in our house! 'may the scriptures be studied, and progeny increase, 'in it! may faith never depart from us! and may we 'have much to bestow on the needy!"

260. 'Thus having ended the *sráddha*, let him cause 'a cow, a priest, a kid, or the fire, to devour what 'remains of the cakes; or let him cast them into the 'waters.

261. 'Some make the offering of the round cakes 'after the repast of the *Bráhmens;* some cause the

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'birds to eat what remains, or cast it into water or 'fire.

262. 'Let a lawful wife, ever dutiful to her lord, 'and constantly honouring his ancestors, eat the mid- 'dlemost of the three cakes, *or that offered to his* '*paternal grandfather*, with due ceremonies, praying 'for offspring:

263. 'So may she bring forth a son, who will be 'long-lived, famed, and strong-minded, wealthy, hav- 'ing numerous descendants, endued with the best of 'qualities, and performing all duties religious and civil.

264. 'Then, having washed both his hands and 'sipped water, let him prepare some rice for his pa- 'ternal kinsmen; and, having given it them with due 'reverence, let him prepare food also for his mater- 'nal relations.

265. 'Let the residue continue in its place, until 'the *Bráhmens* have been dismissed; and then let him 'perform the *remaining* domestick sacraments.

266. 'What sort of oblations, given duly to the 'manes, are capable of satisfying them, for a long 'time or for eternity, I will now declare without omis- 'sion.

267. 'The ancestors of men are satisfied a whole 'month with *tila*, rice, barley, black lentils or vetches, 'water, roots, and fruit, given with prescribed cere- 'monies;

268. 'Two

268. 'Two months, with fish; three months, with 'venison; four, with mutton; five, with the flesh of '*such* birds, *as* the twice-born may eat;

269. 'Six months, with the flesh of kids; seven, 'with that of spotted deer; eight, with that of the 'deer, or antelope, called *éna;* nine with that of the '*ruru:*

270. 'Ten months are they satisfied with the flesh 'of wild boars and wild buffalos; eleven, with that 'of *rabbits or* hares, and of tortoises;

271. 'A whole year with the milk of cows, and food 'made of that milk; from the flesh of the long-eared 'white goat, their satisfaction endures twelve years.

272. 'The potherb *cálasáca,* the fish *mahásalca,* or 'the *diodon,* the flesh of a rhinoceros, or of an iron-'coloured kid, honey, and all such forest grains as 'are eaten by hermits, are formed for their satisfac-'tion without end.

273. 'Whatever pure food, mixed with honey, a 'man offers on the thirteenth day of the moon, in the 'season of rain, and under the lunar asterism *Maghà,* 'has likewise a ceaseless duration.

274. '"Oh! may that man, *say the manes,* be born 'in our line, who may give us milky food, with ho-'ney and pure butter, both on the thirteenth of the 'moon, and when the shadow of an elephant falls to 'the east!"

275. 'Whatever a man, endued with strong faith, 'piously

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'piously offers, as the law has directed, becomes a 'perpetual unperishable gratification to his ancestors in 'the other world:

276. 'The tenth and so forth, except the four-'teenth, in the dark half of the month, are the lunar 'days most approved for sacred obsequies: as they '*are*, so *are* not the others.

277. 'He, who does honour to the manes, on even 'lunar days, and under even lunar stations, enjoys all 'his desires; on odd lunar days, and under odd lunar 'asterisms, he procures an illustrious race.

278. 'As the latter, *or dark*, half of the month 'surpasses, for the celebration of obsequies, the for-'mer, *or bright* half, so the latter half of the day sur-'passes, *for the same purpose*, the former half of it.

279. 'The oblation to ancestors must be duly 'made, even to *the conclusion of it with the distribu-'tion to* the servants (or even to the close of life), 'in the form prescribed, by a *Bráhmen* wearing his 'thread on his right shoulder, proceeding from left to 'right, without remissness, and with *cusa*-grass in his 'hand.

280. 'Obsequies must not be performed by night; 'since the night is called *rácshasì*, or *infested by de-'mons;* nor while the sun is rising or setting, nor when 'it has just risen.

281. 'A house-keeper, *unable to give a monthly re-'past*, may perform obsequies here below, according 'to

'to the sacred ordinance, only thrice a year, in the 'seasons of *hémanta*, *grishma*, and *vershà;* but the 'five sacraments he must perform daily. CHAP. III.

282. 'The sacrificial oblation at obsequies to ancestors, is ordained to be made in no vulgar fire; nor 'should the monthly *sráddha* of that *Bráhmen*, who 'keeps a perpetual fire, be made on any day, except 'on that of the conjunction.

283. 'When a twice-born man, having performed his 'ablution, offers a satisfaction to the manes with water 'only, *being unable to give a repast*, he gains by that 'offering all the fruit of a *sráddha*.

284. 'The wise call our fathers, *Vasus;* our paternal 'grandfathers, *Rudras;* our paternal great grandfathers, '*Adityas* (that is, *all are to be revered as deities*); 'and to this effect there is a primeval text in the '*Véda*.

285. 'Let a man, who is able, continually feed on '*vighasa*, and continually feed on *amrĭta:* by *vighasa* 'is meant the residue of a repast at obsequies; and by '*amrĭta*, the residue of a sacrifice to the gods.

286. 'This complete system of rules, for the five 'sacraments and the like, has been declared to you: 'now hear the law for those means of subsistence, 'which the chief of the twice-born may seek.

CHAP.

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On Economicks; and Private Morals.

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1. 'Let a *Bráhmen*, having dwelt with a preceptor 'during the first quarter of a man's life, pass the second quarter of human life in his own house, when 'he has contracted a legal marriage.

2. 'He must live, with no injury, or with the least 'possible injury, to animated beings, by pursuing those 'means of gaining subsistence, which are strictly prescribed by law, except in times of distress:

3. 'For the sole purpose of supporting life, let him 'acquire property by those irreproachable occupations, 'which are peculiar to his class, and unattended with 'bodily pain.

4. 'He may live by *ṛita* and *amṛita*, or, *if necessary*, 'by *mṛita*, or *pramṛita*, or even by *satyánṛita*; but never 'let him subsist by *swavṛitti*:

5. 'By *ṛita*, must be understood lawful gleaning and 'gathering; by *amṛita*, what is given unasked; by '*mṛita*, what is asked as alms; tillage is called *pramṛita*;

6. 'Traffick and money-lending are *satyánṛita*; even 'by them, *when he is deeply distressed*, may he support 'life; but service for hire is named *swavṛitti*, or *dog-living*, and of course he must by all means avoid it.

7. 'He

7. 'He may either store up grain for three years; or 'garner up enough for one year: or collect what may 'last three days; or make no provision for the mor- 'row. CHAP. IV.

8. 'Of the four *Bráhmens* keeping house, *who follow 'those four different modes,* a preference is given to 'the last in order successively; as to him, who most 'completely by virtue has vanquished the world:

9. 'One of them subsists by all the six means of live- 'lihood; another by three of them; a third, by two 'only; and a fourth lives barely on continually teach- 'ing the *Véda*.

10. 'He, who sustains himself by picking up grains 'and ears, must attach himself to some altar of con- 'secrated fire, but constantly perform those rites only, 'which end with the dark and bright fortnights and 'with the solstices.

11. 'Let him never, for the sake of a subsistence, 'have recourse to popular conversation; let him live 'by the conduct of a priest, neither crooked, nor art- 'ful, nor blended *with the manners of the mercantile 'class.*

12. 'Let him, if he seek happiness, be firm in per- 'fect content, and check all desire of acquiring more '*than he possesses;* for happiness has its root in con- 'tent, and discontent is the root of misery.

13. 'A *Bráhmen* keeping house, *and* supporting him- 'self by any of the *legal* means before-mentioned,

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'must discharge these *following* duties, which conduce 'to fame, length of life, and beatitude.

14. 'Let him daily without sloth perform his pe-'culiar duty, which the *Véda* prescribes; for he, who 'performs that *duty*, as well as he is able, attains the 'highest path to supreme bliss.

15. 'He must not gain wealth *by musick or dancing*, '*or* by any art that pleases the sense; nor by any pro-'hibited art; nor, whether he be rich or poor, *must* '*he receive gifts* indiscriminately.

16. 'Let him not, from a selfish appetite, be strong-'ly addicted to any sensual gratification; let him, by 'improving his intellect, studiously preclude an exces-'sive attachment to such pleasures, *even though lawful.*

17. 'All kinds of wealth, that may impede his read-'ing the *Véda;* let him wholly abandon, persisting by 'all means in the study of scripture; for that will be 'found his most beneficial attainment.

18. 'Let him pass through this life, bringing his ap-'parel, his discourse, and his frame of mind, to a con-'formity with his age, his occupations, his property, 'his divine knowledge, and his family.

19. 'Each day let him examine those holy books, 'which soon give increase of wisdom; and those, which 'teach the means of acquiring wealth; those, which 'are salutary to life; and those *nigamas*, which are 'explanatory of the *Véda;*

20. 'Since, as far as a man studies completely the

'system

'system of sacred literature, so far only can he become 'eminently learned, and so far may his learning shine 'brightly.

21. 'The sacramental oblations to sages, to the gods, 'to spirits, to men, and to his ancestors, let him con'stantly perform to the best of his power.

22. 'Some, who well know the ordinances for those 'oblations, perform not always externally the five 'great sacraments, but continually make offerings in 'their own organs *of sensation and intellect:*

23. 'Some constantly sacrifice their breath in their 'speech, *when they instruct others, or praise* GOD *aloud,* 'and their speech in their breath, *when they meditate* '*in silence;* perceiving in their speech and breath, *thus* '*employed,* the unperishable fruit of a sacrificial offer'ing:

24. 'Other *Bráhmens* incessantly perform those sacri'fices with scriptural knowledge only; seeing with the 'eye of divine learning, that scriptural knowledge is 'the root of every ceremonial observance.

25. 'Let a *Bráhmen* perpetually make oblations to 'consecrated fire at the beginning and end of day and 'night, and at the close of each fortnight, or at the 'conjunction and opposition:

26. 'At the season, when old grain is usually con'sumed, let him offer new grain for a plentiful har'vest; and at the close of the season, let him per'form the rites called *adhwara;* at the solstices let him

 'sacrifice

CHAP. IV. 'sacrifice cattle; at the end of the year, let his oblations be made with the juice of the moon-plant.

27. 'Not having offered grain for the harvest, nor 'cattle *at the time of the solstice*, let no *Bráhmen*, who 'keeps hallowed fire, and wishes for long life, taste 'rice or flesh;

28. 'Since the holy fires, not being honoured with 'new grain and with a sacrifice of cattle, are greedy 'for rice and flesh, and seek to devour his vital spirits.

29. 'Let him take care, to the utmost of his power, 'that no guest sojourn in his house unhonoured with 'a seat, with food, with a bed, with water, with escu-'lent roots, and with fruit:

30. 'But, let him not honour with his conversation 'such as do forbidden acts; such as subsist, like cats, '*by interested craft;* such as believe not the scripture; 'such as oppugn it by sophisms; or such as live like 'rapacious water-birds.

31. 'With oblations to the gods and to ancestors, 'let him do reverence to *Bráhmens* of the second order, 'who are learned in theology, who have returned home 'from their preceptors, after having performed their re-'ligious duties and fully studied the *Véda;* but men of 'an opposite description let him avoid.

32. 'Gifts must be made by each house-keeper, as 'far as he has ability, to religious mendicants, though 'heterodox; and a just portion must be reserved, with-

'out

'out inconvenience to his family, for all sentient beings, 'animal and vegetable. CHAP. IV.

33. 'A priest, who is master of a family, and pines 'with hunger, may seek wealth from a king *of the military class*, from a sacrificer, or his own pupil, but 'from no person else, *unless all other helps fail: thus* '*will he shew his* respect for the law.

34. 'Let no priest, who keeps house, *and is* able *to* '*procure food*, ever waste himself with hunger; nor, 'when he has any substance, let him wear old or sordid 'clothes.

35. 'His hair, nails, and beard, being clipped; *his* '*passions* subdued; his mantle, white; his body, pure; 'let him diligently occupy himself in reading the *Véda*, 'and be constantly intent on such acts, as may be 'salutary to him.

36. 'Let him carry a staff of *Vénu*, an ewer with 'water in it, a handful of *cusa*-grass, or *a copy of* the '*Véda;* with a pair of bright golden rings in his ears.

37. 'He must not gaze on the sun, whether rising or 'setting, or eclipsed, or reflected in water, or advanced 'to the middle of the sky.

38. 'Over a string, to which a calf is tied, let him not 'step; nor let him run, while it rains; nor let him look 'on his own image in water: this is a settled rule.

39. 'By a mound of earth, by a cow, by an idol, 'by a *Bráhmen*, by *a pot of* clarified butter, or of 'honey,

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'honey, by a place where four ways meet, and by 'large trees well known in the district, let him pass 'with his right hand toward them.

40. 'Let him not, though mad with desire, approach 'his wife, when her courses appear; nor let him then 'sleep with her in the same bed;

41. 'Since the knowledge, the manhood, the strength, 'the eye-sight, even the vital spirit of him, who ap-'proaches his wife thus defiled, utterly perish;

42. 'But the knowledge, the manhood, the strength, 'the sight, and the life of him, who avoids her in that 'state of defilement, are greatly increased.

43. 'Let him neither eat with his wife, nor look at 'her eating, or sneezing, or yawning, or sitting care-'lessly at her ease;

44. 'Nor let a *Bráhmen*, who desires manly strength, 'behold her setting off her eyes with black powder, or 'scenting herself with essences, or baring her bosom, 'or bringing forth a child.

45. 'Let him not eat his food, wearing only a 'single cloth; nor let him bathe quite naked; nor let 'him eject urine or feces in the highway, nor on ashes, 'nor where kine are grazing.

46. 'Nor on tilled ground, nor in water, nor on 'wood raised for burning, nor, *unless he be in great 'need*, on a mountain, nor on the ruins of a temple, 'nor at any time on a nest of white ants;

47. 'Nor

47. ‘ Nor in ditches with living creatures in them, ‘ nor walking, nor standing, nor on the bank of a ‘ river, nor on the summit of a mountain: CHAP. IV.

48. ‘ Nor let him ever eject them, looking at *things* ‘ *moved by* the wind, or at fire, or at a priest, or at ‘ the sun, or at water, or at cattle;

49. ‘ But let him void his excrements, having co- ‘ vered the earth with wood, potsherds, *dry* leaves ‘ and grass, or the like, carefully suppressing his ut- ‘ terance, wrapping up his breast and his head:

50. ‘ By day let him void them with his face to ‘ the north; by night, with his face to the south; at ‘ sunrise and at sunset, in the same manner as by day;

51. ‘ In the shade or in darkness, whether by day ‘ or by night, let a *Bráhmen* ease nature with his face ‘ turned as he pleases; and in places where he fears ‘ injury to life *from wild beasts or from reptiles.*

52. ‘ Of him, who should urine against fire, against ‘ the sun or the moon, against a twice-born man, a ‘ cow, or the wind, all the sacred knowledge would ‘ perish.

53. ‘ Let him not blow the fire with his mouth; let ‘ him not see his wife naked; let him not throw any ‘ foul thing into the fire; nor let him warm his feet ‘ in it;

54. ‘ Nor let him place it *in a chafing dish* under *his* ‘ *bed;* nor let him stride over it; nor let him keep

‘ it,

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'it, *while he sleeps,* at his feet: let him do nothing 'that may be injurious to life.

55. 'At the time of sunrise or sunset, let him not 'eat, nor travel, nor lie down to rest; let him not 'idly draw lines on the ground; nor let him take off 'his own chaplet of flowers.

56. 'Let him not cast into the water either urine 'or ordure, nor saliva, nor cloth, or any other thing, 'soiled with impurity, nor blood, nor any kinds of 'poison.

57. 'Let him not sleep alone in an empty house; 'nor let him wake a sleeping man *superiour to himself 'in wealth and in learning;* nor let him speak to a wo-'man at the time of her courses; nor let him go to '*perform* a sacrifice, unattended *by an officiating priest.*

58. 'In a temple *of consecrated fire,* in the pasture 'of kine, in the presence of *Bráhmens,* in reading 'the *Véda,* and in eating his food, let him hold out 'his right arm uncovered.

59. 'Let him not interrupt a cow *while she is* drink-'ing, nor give notice to any, *whose milk or water she 'drinks;* nor let him, who knows *right from wrong,* 'and sees in the sky the bow of INDRA, show it to 'any man.

60. 'Let him not inhabit a town, in which civil 'and religious duties are neglected; nor, for a long 'time, one in which diseases are frequent; let him 'not

'not begin a journey alone: let him not reside long 'on a mountain. CHAP. IV.

61. 'Let him not dwell in a city governed by a '*Súdra* king, nor in one surrounded with men unob-'servant of their duties, nor in one abounding with 'professed hereticks, nor in one swarming with low-'born outcasts.

62. 'Let him eat no vegetable, from which the oil 'has been extracted; nor indulge his appetite to sa-'tiety; nor eat either too early or too late; nor *take* '*any food* in the evening, if he have eaten to fulness 'in the morning.

63. 'Let him make no vain corporeal exertion: let 'him not sip water *taken up* with his *closed* fingers: 'let him eat nothing *placed* in his lap: let him never 'take pleasure in asking idle questions.

64. 'Let him neither dance nor sing, nor play on 'musical instruments, *except in religious rites;* nor 'let him strike his arm, or gnash his teeth, or make 'a braying noise, though agitated by passion.

65. 'Let him not wash his feet in a pan of mixed 'yellow metal; nor let him eat from a broken dish, 'nor where his mind is disturbed with anxious appre-'hensions.

66. 'Let him not use either slippers or clothes, or 'a sacerdotal string, or an ornament, or a garland, 'or a waterpot, which before have been used by 'another.

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67. 'With untrained beasts of burden let him not 'travel; nor with such, as are oppressed by hunger 'or by disease; nor with such as have imperfect 'horns, eyes, or hoofs; nor with such as have rag'ged tails:

68. 'But let him constantly travel with beasts well 'trained, whose pace is quick, who bear all the marks 'of a good breed, who have an agreeable colour, and 'a beautiful form; giving them very little pain with 'his whip.

69. 'The sun in the sign of *Canyà*, the smoke of a 'burning corse, and a broken seat, must be shunned: 'he must never cut his own hair and nails, nor ever 'tear his nails with his teeth.

70. 'Let him not break mould or clay *without cause:* 'let him not cut grass with his nails; let him neither 'indulge any vain fancy, nor do any act, that can 'bring no future advantage:

71. 'He, who *thus idly* breaks clay, or cuts grass, 'or bites his nails, will speedily sink to ruin; and *so* '*shall* a detractor, and an unclean person.

72. 'Let him use no contumelious phrase: let him 'wear no garland except on his hair: to ride on the 'back of a bull or a cow, is in all modes culpable.

73. 'Let him not pass, otherwise than by the gate, 'into a walled town, or an inclosed house; and by 'night let him keep aloof from the roots of trees.

74. 'Never

74. ‘Never let him play with dice: let him not ‘put off his sandals with his hand: let him not eat, ‘while he reclines on a bed, nor what is placed in ‘his hand, or on a bench; CHAP. IV.

75. ‘Nor, when the sun is set, let him eat any ‘thing mixed with *tila;* nor let him ever in this world ‘sleep quite naked; nor let him go any whither with ‘a remnant of food in his mouth.

76. ‘Let him take his food, having sprinkled his ‘feet with water; but never let him sleep with his ‘feet wet: he, who takes his food with his feet so ‘sprinkled, will attain long life.

77. ‘Let him never advance into a place undistin‘guishable by his eye, or not easily passable: never ‘let him look at urine or ordure; nor let him pass ‘a river *swimming* with his arms.

78. ‘Let not a man, who desires to enjoy long life, ‘stand upon hair, nor upon ashes, bones, or pot‘sherds, nor upon seeds of cotton, nor upon husks ‘of grain.

79. ‘Nor let him tarry *even under the shade of the* ‘*same tree* with outcasts for great crimes, nor with ‘*Chandálas*, nor with *Puccasas*, nor with idiots, nor ‘with men proud of wealth, nor with *washermen and* ‘*other* vile persons, nor with *Antyavasáyins*.

80. ‘Let him not give *even temporal* advice to a *Sú*‘*dra;* nor, *except to his own servant*, what remains

CHAP. IV. 'from his table; nor clarified butter, of which part 'has been offered *to the gods;* not let him *in person* 'give spiritual counsel to such a man, nor *person-* '*ally* inform him of the legal expiation for his sin:

81. 'Surely he, who declares the law to a servile 'man, and he, who instructs him in the mode of 'expiating sin, *except by the intervention of a priest,* 'sinks with that very man into the hell named *As-* '*amvrĭta.*

82. 'Let him not stroke his head with both hands; 'nor let him even touch it, while food remains in 'his mouth; nor without *bathing it,* let him bathe 'his body.

83. 'Let him not *in anger* lay hold of hair, or 'smite any one on the head; nor let him, after his 'head has been rubbed with oil, touch with oil any 'of his limbs.

84. 'From a king, not born in the military class, 'let him accept no gift, nor from such as keep a 'slaughter-house, or an oil-press, or put out a vintner's 'flag, or subsist by the gain of prostitutes:

85. 'One oil-press is as bad as ten slaughter-houses; 'one vintner's flag, as ten oil-presses; one prostitute, 'as ten vintner's flags; one *such* king, as ten pros- 'titutes;

86. 'With a slaughterer, *therefore,* who employs 'ten thousand slaughter-houses, a king, *not a soldier*

'*by*

' *by birth*, is declared to be on a level; *and* a gift ' from him is tremendous. CHAP. IV.

87. ' He, who receives a present from an avaricious ' king and a transgressor of the sacred ordinances, ' goes in succession to the following twenty-one hells:

88. ' *Támisra*, *Andhatámisra*, *Mahárourava*, *Raurava*, ' *Naraca*, *Cálasútra*, and *Mahánaraca;*

89. ' *Sanjívana*, *Mahavíchi*, *Tapana*, *Sampratápana*, ' *Sanháta*, *Sacácóla*, *Cudmala*, *Pútimrĭttica;*

90. ' *Lóhasancu*, or *iron-spiked*, and *Rijísha*, *Pan-* ' *t'hána*, the river *Sálmalì*, *Asipatravana*, or *the sword-* ' *leaved forest*, and *Lóhángáraca*, or *the pit of red-hot* ' *charcoal.*

91. ' *Bráhmens*, who know this *law*, who speak the ' words of the *Véda*, and who seek bliss after death, ' accept no gifts from a king.

92. ' Let the house-keeper wake in the time sacred ' to Bra'hmí, *the goddess of speech*, *that is*, *in the last* ' *watch of the night:* let him then reflect on virtue ' and virtuous emoluments, on the bodily labour, which ' they require, and on the whole meaning and very ' essence of the *Véda*.

93. ' Having risen, having done what nature makes ' necessary, having then purified himself and fixed his ' attention, let him stand a long time repeating the ' *gáyatrì* for the first *or morning* twilight; as he must, ' for the last *or evening* twilight in its proper time.

94. ' By

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94. ' By continued repetition of the *gáyatrì*, at the ' twilights, the holy sages acquire length of days, per- ' fect knowledge, reputation during life, fame after ' death, and celestial glory.

95. ' Having duly performed the *upácarma*, or *do-* ' *mestick ceremony with sacred fire*, at the full moon ' of *Srávana*, or of *Bhádra*, let the *Bráhmen*, fully ' exerting his intellectual powers, read the *Védas* ' during four months and one fortnight:

96. ' Under the lunar asterism *Pushya*, or on the ' first day of the bright half of *Mágha*, and in the ' first part of the day, let him perform, out of the ' town, *the ceremony called* the *utserga* of the *Védas*.

97. ' Having performed that ceremony out of town, ' as the law directs, let him desist from reading ' for one *intermediate* night winged *with two days*, or ' for that day and *that following* night only;

98. ' But after that *intermission*, let him attentively ' read the *Védas* in the bright fortnights; and in the ' dark fortnights let him constantly read all the *Vé-* ' *dángas*.

99. ' He must never read the *Véda* without accents ' and letters well pronounced; nor ever in the pre- ' sence of *Súdras*; nor, *having begun to read it* in the ' last watch of the night, must he, though fatigued, ' sleep again.

100. ' By the rule just mentioned let him conti- ' nually, with his faculties exerted, read the *Mantras*, ' or

'or holy texts, composed in regular measures; and, CHAP. IV.
'when he is under no restraint, let him read both
'the *Mantras* and the *Bráhmenas*, or chapters on the
'attributes of GOD.

101. 'LET a reader of the *Véda*, and a teacher of 'it to his pupils, in the form prescribed, always avoid 'reading on the following prohibited days.

102. 'By night, when the wind meets his ear, and 'by day when the dust is collected, *he must not read* 'in the season of rain; since both those times are 'declared unfit for reading, by such as know when 'the *Véda* ought to be read.

103. 'In lightning, thunder, *and* rain, or during the 'fall of large fireballs on all sides, at such times 'MENU has ordained the reading of scripture to be 'deferred till the same time next day.

104. 'When the priest perceives those accidents oc'curring at once, while his fires are kindled for '*morning and evening* sacrifices, then let him know, 'that the *Véda* must not be read; and when clouds 'are seen gathered out of season.

105. 'On the occasion of a preternatural sound from 'the sky, of an earthquake, or an obscuration of the 'heavenly bodies, even in due season, let him know, 'that his reading must be postponed till the proper 'time:

106. 'But if, while his fires are blazing, the sound 'of lightning and thunder is heard *without rain*, his

'reading

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'reading must be discontinued, only while the phe-'nomenon lasts; the remaining event, *or rain also*, 'happening, it must cease for a night and a day.

107. 'The reading of such, as wish to attain the 'excellent reward of virtue, must continually be sus-'pended in towns and in cities, and always where an 'offensive smell prevails.

108. 'In a district, through which a corpse is carried, 'and in the presence of an unjust person, the reading 'of scripture must cease; *and* while the sound of 'weeping is heard; and in a promiscuous assembly of 'men.

109. 'In water, near midnight, and while the two 'natural excretions are made, or with a remnant of 'food in the mouth, or when the *sráddha* has recently 'been eaten, let no man even meditate in his heart '*on the holy texts*.

110. 'A learned *Bráhmen*, having received an invi-'tation to the obsequies of a single ancestor, must 'not read the *Véda* for three days; nor when the 'king has a son born; nor when the dragon's head 'causes an eclipse.

111. 'As long as the scent and unctuosity of per-'fumes remain on the body of a learned priest, who 'has partaken of an entertainment, so long he must 'abstain from pronouncing the texts of the *Véda*.

112. 'Let him not read lolling on a couch, nor 'with his feet raised on a bench, nor with his thighs

'crossed,

'crossed, nor having lately swallowed meat, or the 'rice and other food *given* on the birth or death of 'a relation; CHAP. IV.

113. 'Nor in a cloud of dust, nor while arrows 'whiz, *or a lute sounds,* nor in either of the twilights, 'nor at the conjunction, nor on the fourteenth day, 'nor at the opposition, nor on the eighth day, of 'the moon:

114. 'The dark lunar day destroys the spiritual 'teacher; the fourteenth destroys the learner; the 'eighth and the day of the full moon destroy *all re-'membrance of* scripture; for which reasons he must 'avoid reading on those lunar days.

115. 'Let no *Bráhmen* read, while dust falls like 'a shower, nor while the quarters of the firmament 'are inflamed, nor while shakals yell, nor while dogs 'bark or yelp, nor while asses or camels bray, *nor 'while men in company chatter.*

116. 'He must not read near a cemetery, near a 'town, or in a pasture for kine; nor in a mantle 'worn before at a time of dalliance; nor having just 'received the present usual at obsequies:

117. 'Be it an animal, or a thing inanimate, or 'whatever be the gift at a *sráddha,* let him not, 'having lately accepted it, read the *Véda;* for such a '*Bráhmen* is said to have his mouth in his hand.

118. 'When the town is beset by robbers, or an 'alarm has been raised by fire, and in all terrours

'from strange phenomena, let him know, that his lec-'ture must be suspended till the due time *after the* '*cause of terrour be ceased.*

119. 'The suspension of reading scripture, after a 'performance of the *upácarma* and *utserga*, must be 'for three whole nights, *by the man who seeks virtue* '*more than knowledge;* also for one day and night, 'on the eighth lunar days which follow those ceremo-'nies, and on the nights at the close of the seasons.

120. 'Never let him read on horseback, nor on a 'tree, nor on an elephant, nor in a boat, nor on an 'ass, nor on a camel, nor standing on barren ground, 'nor borne in a carriage;

121. 'Nor during a verbal altercation, nor during 'a mutual assault, nor with an army, nor in battle, 'nor after food, *while his hand is moist from washing*, 'nor with an indigestion, nor after vomiting, nor with 'sour eructations;

122. 'Nor without notice to a guest just arrived, 'nor while the wind vehemently blows, nor when blood 'gushes from his body, nor when it is wounded by 'a weapon.

123. 'While the strain of the *Sáman* meets his ear, 'he shall not read the *Rich*, or the *Yajush;* nor any 'part of the *Véda*, when he has just concluded the 'whole; nor *any other part*, when he has just finished 'the book entitled *A'ranyaca:*

124. 'The *Rigvéda* is held sacred to the gods; the

'*Yajurvéda*

'*Yajurvéda* relates to mankind; the *Sámavéda* concerns the manes of ancestors, and the sound of it, '*when chanted*, raises therefore a notion of something 'impure.

125. 'Knowing this *collection of rules*, let the learned read the *Véda* on every *lawful* day, having first 'repeated in order the pure essence of the three '*Védas*, namely, the *pranava*, the *vyáhrĭtis*, and the '*gáyatrì*.

126. 'If a beast used in agriculture, a frog, a cat, 'a dog, a snake, an ichneumon, or a rat, pass between '*the lecturer and his pupil*, let him know, that the 'lecture must be intermitted for a day and a night.

127. 'Two occasions, when the *Véda* must not be 'read, let a *Bráhmen* constantly observe with great 'care; *namely*, when the place for reading it is impure, and when he is himself unpurified.

128. 'On the dark night of the moon, and on the 'eighth, on the night of the full moon, and on the 'fourteenth, let a *Bráhmen*, who keeps house, be 'continually chaste as a student in theology, even in 'the season of nuptial embraces.

129. 'Let him not bathe, having just eaten; nor 'while he is afflicted with disease; nor in the middle 'of the night; nor with many clothes; nor in a pool 'of water imperfectly known.

130. 'Let him not intentionally pass over the shadow 'of sacred images, of a *natural or spiritual* father, of

CHAP. IV. 'a king, of a *Bráhmen*, who keeps house, or of any 'reverend personage; nor of a red-haired *or copper-'coloured* man; nor of one who has just performed a 'sacrifice.

131. 'At noon or at midnight, or having eaten flesh 'at a *sráddha*, or in either of the twilights, let him 'not long tarry, where four ways meet.

132. 'He must not stand knowingly near oil and 'other things, with which a man has rubbed his body, 'or water, in which he has washed himself, or feces 'and urine, or blood, or mucus, or any thing chewed 'and spitten out, or any thing vomited.

133. 'Let him show no particular attention to his 'enemy, or his enemy's friend, to an unjust person, 'to a thief, or to the wife of another man;

134. 'Since nothing is known in this world so ob-'structive to length of days, as the culpable atten-'tion of a man to the wife of another.

135. 'Never let him, who desires an increase of 'wealth, despise a warriour, a serpent, or a priest 'versed in scripture, how mean soever *they may ap-'pear;*

136. 'Since those three, when contemned, may de-'stroy a man; let a wise man therefore always beware 'of treating those three with contempt:

137. 'Nor should he despise *even* himself on account 'of

'of previous miscarriages: let him pursue fortune till 'death, nor ever think her hard to be attained. CHAP. IV.

138. 'Let him say what is true, but let him say 'what is pleasing; let him speak no disagreeable 'truth, nor let him speak agreeable falsehood: this is 'a primeval rule.

139. 'Let him say "well and good," or let him 'say "well" only; but let him not maintain fruitless 'enmity and altercation with any man.

140. 'Let him not journey too early in the morn-'ing or too late in the evening, nor too near the 'mid-day, nor with an unknown companion, nor alone, 'nor with men of the servile class.

141. 'Let him not insult those, who want a limb, or 'have a limb redundant, who are unlearned, who are 'advanced in age, who have no beauty, who have 'no wealth, or who are of an ignoble race.

142. 'Let no priest, unwashed after food, touch 'with his hand a cow, a *Bráhmen*, or fire; nor being 'in good health *and* unpurified, let him even look 'at the luminaries in the firmament:

143. 'But, having accidentally touched them before 'his purification, let him ever sprinkle, with water 'in the palm of his hand, his organs of sensation, all 'his limbs, and his navel.

144. 'Not being in pain from disease, let him never 'without cause touch the cavities of his body; and 'carefully let him avoid his concealed hair.

145. 'Let

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145. 'Let him be intent on *those propitious observances which lead to* good fortune, and on the discharge of his customary duties, his body and mind 'being pure, and his members kept in subjection; 'let him constantly without remissness repeat the '*gáyatrì*, and present his oblation to fire:

146. 'To those, who are intent on good fortune and 'on the discharge of their duties, who are always pure, 'who repeat the holy text and make oblations to fire, 'no calamity happens.

147. 'In due season let him ever study the scripture without negligence; for the sages call that his 'principal duty: every other duty is declared to be 'subordinate.

148. 'By reading the *Véda* continually, by purity of 'body and mind, by rigorous devotion, and by doing 'no injury to animated creatures, he brings to remembrance his former birth:

149. 'A *Bráhmen*, remembering his former birth, 'again reads the *Véda*, and, by reading it constantly, 'attains bliss without end.

150. 'On the days of the conjunction and opposition, let him constantly make those oblations, which 'are hallowed by the *gáyatrì*, and those, which avert 'misfortune; but on the eighth and ninth lunar days '*of the three dark fortnights after the end of Agraháyan*, let him always do reverence to the manes of 'ancestors.

151. 'Far

151. 'Far from the mansion of holy fire, let him 'remove all ordure; far *let him remove* water, in which 'feet have been washed; far *let him remove* all rem-'nants of food, and all seminal impurity.

152. 'At the beginning of each day let him dis-'charge his feces, bathe, rub his teeth, apply a col-'lyrium to his eyes, adjust his dress, and adore the 'gods.

153. '*On the dark lunar day, and* on the *other* '*monthly* parvans, let him visit the images of deities, 'and *Bráhmens* eminent in virtue, and the ruler of 'the land, for the sake of protection, and those whom 'he is bound to revere.

154. 'Let him humbly greet venerable men, *who* '*visit him*, and give them his own seat; let him sit 'near them, closing the palms of his hands; and 'when they depart, let him walk some way behind 'them.

155. 'Let him practise without intermission that 'system of approved usages, which is the root of all 'duty religious and civil, declared at large in the 'scripture and sacred law tracts, together with the 'ceremonies peculiar to each act:

156. 'Since by such practice long life is attained; 'by such practice *is gained* wealth unperishable; such 'practice baffles every mark of ill fortune:

157. 'But, by an opposite practice, a man surely 'sinks to contempt in this world, has always a large

'portion

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'portion of misery, is afflicted with disease and short-'lived;

158. 'While the man, who is observant of approved 'usages, endued with faith in scripture, and free from 'a spirit of detraction, lives a hundred years, even 'though he bear no bodily mark of a prosperous 'life.

159. 'Whatever act depends on another man, that 'act let him carefully shun; but whatever depends on 'himself, to that let him studiously attend;

160. 'ALL, THAT DEPENDS ON ANOTHER, GIVES PAIN; 'AND ALL, THAT DEPENDS ON HIMSELF, GIVES PLEASURE; 'let him know this to be in few words the definition 'of pleasure and pain.

161. 'When an act, *neither prescribed nor prohibited*, 'gratifies the mind of him who performs it, let him 'perform it with diligence; but let him avoid its op-'posite.

162. 'Him, by whom he was invested with the sacri-'ficial thread, him, who explained the *Véda* or even 'a part of it, his mother, and his father, natural or 'spiritual, let him never oppose; nor priests, nor cows, 'nor persons truly devout.

163. 'Denial of a future state, neglect of the scrip-'ture, and contempt of the deities, envy and hatred, 'vanity and pride, wrath and severity, let him *at all* '*times* avoid.

164. 'Let

164. ‘ Let him not, when angry, throw a stick at ‘ another man, nor smite him with any thing; unless ‘ he be a son or a pupil: those two he may chastise ‘ for their *improvement* in learning. CHAP. IV.

165. ‘ A twice-born man, who barely assaults a *Bráh*-‘ *men* with intention to hurt him, shall be whirled ‘ about for a century in the hell named *Támisra;*

166. ‘ *But*, having smitten him in anger and by de-‘ sign, even with a blade of grass, he shall be born, ‘ in one and twenty transmigrations, from the wombs of ‘ impure quadrupeds.

167. ‘ He, who, through ignorance of the law, sheds ‘ blood from the body of a *Bráhmen*, not engaged in ‘ battle, shall feel excessive pain in his future life:

168. ‘ As many particles of dust as the blood shall ‘ roll up from the ground, for so many years shall ‘ the shedder of that blood be mangled by other ani-‘ mals in his next birth.

169. ‘ Let not him then, who knows *this law*, even ‘ assault a *Bráhmen* at any time, nor strike him even ‘ with grass, nor cause blood to gush from his body.

170. ‘ Even here below an unjust man attains no ‘ felicity; nor he, whose wealth proceeds from giving ‘ false evidence; nor he, who constantly takes delight ‘ in mischief.

171. ‘ Though oppressed by penury, in consequence ‘ of his righteous dealings, let him never give his

CHAP. IV. 'mind to unrighteousness; for he may observe the 'speedy overthrow of iniquitous and sinful men.

172. 'Iniquity, committed in this world, produces 'not fruit immediately, *but*, like the earth, *in due sea*-'*son;* and, advancing by little and little, it eradicates 'the man who committed it.

173. 'Yes; iniquity, once committed, fails not of 'producing fruit to him, who wrought it; if not in 'his own person, yet in his sons; or, if not in his 'sons, yet in his grandsons:

174. 'He grows rich for a while through unrighteous-'ness; then he beholds good things; then it is, that 'he vanquishes his foes; but he perishes at length 'from his whole root upwards.

175. 'Let a man continually take pleasure in truth, 'in justice, in laudable practices, and in purity; let 'him chastise those, whom he may chastise, in a legal 'mode; let him keep in subjection his speech, his arm, 'and his appetite:

176. 'Wealth and pleasures, repugnant to law, let 'him shun; and even lawful acts, which may cause 'future pain, or be offensive to mankind.

177. 'Let him not have nimble hands, restless feet, 'or voluble eyes; let him not be crooked in his ways; 'let him not be flippant in his speech, nor intelligent 'in doing mischief.

178. 'Let him walk in the path of good men; the 'path,

'path, in which his parents and forefathers walked: 'while he moves in that path, he can give no offence. CHAP. IV.

179. 'WITH an attendant on consecrated fire, a per-'former of holy rites, and a teacher of the *Véda*, with 'his maternal uncle, with his guest or a dependant, 'with a child, with a man either aged or sick, with 'a physician, with his paternal kindred, with his re-'lations by marriage, and with cousins on the side of 'his mother,

180. 'With his mother herself, or with his father, 'with his kinswomen, with his brother, with his son, 'his wife, or his daughter, and with his whole set 'of servants let him have no strife.

181. 'A house-keeper, who shuns altercation with 'those *just mentioned*, is released from all *secret* faults; 'and, by suppressing all such disputes, he obtains a 'victory over the following worlds:

182. 'The teacher of the *Véda* secures him the 'world of BRAHMÁ; his father, the world *of the Sun*, '*or* of the *Prajápatis;* his guest, the world of INDRA; 'his attendance on holy fire, the world of *Dévas;*

183. 'His female relations, the world of celestial 'nymphs; his maternal cousins, the world of the *Vis-'wadévas;* his relations by affinity, the world of waters; 'his mother and maternal uncle give him power on 'earth;

184. 'Children, old men, poor dependants, and sick 'persons, must be considered as rulers of the pure

 'ether,

CHAP. IV. 'ether; his elder brother, as equal to his father; his 'wife and son, as his own body;

185. 'His assemblage of servants, as his own shadow; 'his daughter, as the highest object of tenderness: 'let him, therefore, when offended by any of those, 'bear the offence without indignation.

186. 'Though permitted to receive presents, let him 'avoid a habit of taking them; since, by taking many 'gifts, his divine light soon fades.

187. 'Let no man of sense, who has not fully in-'formed himself of the law concerning gifts of *par-*'*ticular* things, accept a present, even though he pine 'with hunger.

188. 'The man who knows not that law, yet accepts 'gold or gems, land, a horse, a cow, food, raiment, 'oils or clarified butter, becomes mere ashes, like 'wood *consumed by fire:*

189. 'Gold and gems burn up his nourishment and 'life; land and a cow, his body; a horse, his eyes; 'raiment, his skin; clarified butter, his manly strength; 'oils, his progeny.

190. 'A twice-born man, void of true devotion, and 'not having read the *Véda*, yet eager to take a gift, 'sinks down together with it, as with a boat of stone 'in deep water.

191. 'Let him then, who knows not the law, be 'fearful of presents from this or that giver; since an 'ignorant

' ignorant man, even by a small gift, may become ' helpless as a cow in a bog. CHAP. IV.

192. ' Let no man, apprized of this law, present even ' water to a priest, who acts like a cat, nor to him, ' who acts like a bittern, nor to him, who is unlearned ' in the *Véda;*

193. ' Since property, though legally gained, if it ' be given to either of those three, becomes preju- ' dicial in the next world, both to the giver and re- ' ceiver:

194. ' As he, who tries to pass over deep water in ' a boat of stone, sinks to the bottom, so those two ' ignorant men, the receiver and the giver, sink to ' a region of torment.

195. ' A covetous wretch, who continually displays ' the flag of virtue, a pretender, a deluder of the ' people, is declared to be the man who acts like ' a cat: he is an injurious hypocrite, a detractor from ' the merits of all men.

196. ' A twice-born man, with his eyes dejected, ' morose, intent on his own advantage, sly, and falsely ' demure, is he, who acts like a bittern.

197. ' Such priests, as live like bitterns, and such ' as demean themselves like cats, fall by that sinful ' conduct into the hell called *Andhatámisra.*

198. ' Let no man, having committed sin, perform ' a penance, under the pretext of austere devotion,

' disguising

CHAP. IV. disguising his crime under fictitious religion, and deceiving both women and low men:

199. 'Such impostors, though *Bráhmens*, are despised 'in the next life and in this, by all who pronounce 'holy texts; and every religious act fraudulently performed goes to evil beings.

200. 'He, who has no right to distinguishing marks, 'yet gains a subsistence by wearing false marks of 'distinction, takes to himself the sin committed by 'those who are entitled to such marks, and shall again 'be born from the womb of a brute animal.

201. 'Never let him bathe in the pool of another 'man; for he, who bathes in it *without licence*, takes 'to himself a small portion of the sins, which the 'maker of the pool has committed.

202. 'He, who appropriates to his own use the 'carriage, the bed, the seat, the well, the garden, 'or the house of another man, who has not delivered them to him, assumes a fourth part of the guilt 'of their owner.

203. 'In rivers, in ponds dug by holy persons, and 'in lakes, let him always bathe; in rivulets also, and 'in torrents.

204. 'A wise man should constantly discharge all 'the moral duties, though he perform not constantly 'the ceremonies of religion; since he falls low, if, 'while he performs ceremonial acts only, he discharge 'not his moral duties.

205. 'Never

205. 'NEVER let a priest eat part of a sacrifice not 'begun with texts of the *Véda*, nor of one performed 'by a common sacrificer, by a woman, or by an eu'nuch: CHAP. IV.

206. 'When those persons offer the clarified butter, 'it brings misfortune to good men, and raises aver'sion in the deities; such *oblations*, therefore, he must 'carefully shun.

207. 'Let him never eat the food of the insane, 'the wrathful, or the sick; nor that, on which lice 'have fallen; nor that, which has designedly been 'touched by a foot;

208. 'Nor that, which has been looked at by the 'slayer of a priest, *or by any other deadly sinner*, or 'has even been touched by a woman in her courses, 'or pecked by a bird, or approached by a dog:

209. 'Nor food which has been smelled by a cow; 'nor particularly that which has been proclaimed *for 'all comers*; nor the food of associated knaves, or of 'harlots; nor that, which is contemned by the learned 'in scripture;

210. 'Nor that of a thief or a publick singer, of a 'carpenter, of an usurer, of one who has recently 'come from a sacrifice, of a niggardly churl, or of 'one bound with fetters;

211. 'Of one publickly defamed, of an eunuch, of 'an unchaste woman, or of a hypocrite: nor any 'sweet thing turned acid, nor what has been kept a

'whole

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'whole night; nor the food of a servile man, nor the 'orts of another;

212. 'Nor the food of a physician, or of a hunter, 'or of a dishonest man, or of an eater of orts; nor 'that of any cruel person; nor of a woman in child- 'bed; nor of him, who rises prematurely from table 'to make an ablution; nor of her, whose ten days of 'purification have not elapsed;

213. 'Nor that, which is given without due ho- 'nour to honourable men; nor any flesh, which has 'not been sacrificed; nor the food of a woman, who 'has neither a husband nor a son; nor that of a foe, 'nor that of the whole town, nor that of an outcast, 'nor that on which any person has sneezed;

214. 'Nor that of a backbiter, or of a false wit- 'ness; nor of one, who sells the reward of his sacri- 'fice; nor of a publick dancer, or a tailor; nor of 'him who has returned evil for good;

215. 'Nor that of a blacksmith, or a man of the 'tribe called *Nisháda*, nor of a stage-player, nor of 'a worker in gold or in cane, nor of him who sells 'weapons;

216. 'Nor of those, who train hunting-dogs, or sell 'fermented liquor; nor of him who washes clothes, 'or who dyes them; nor of any malevolent person; 'nor of one, who ignorantly suffers an adulterer to 'dwell under his roof;

217. 'Nor

217. 'Nor of those, who knowingly bear with the 'paramours of their own wives, or are constantly in 'subjection to women; nor food given for the dead 'before ten days of purification have passed; nor any 'food whatever, but that which satisfies him. CHAP. IV.

218. 'Food given by a king, impairs his manly vi-'gour; by one of the servile class, his divine light; 'by goldsmiths, his life; by leathercutters, his good 'name:

219. 'Given by *cooks and the like* mean artizans, 'it destroys his offspring; by a washerman, his mus-'cular strength; but the food of knavish associates 'and harlots excludes him from heaven:

220. 'The food of a physician is purulent; that of 'a libidinous woman, seminal; that of an usurer, fe-'culent; that of a weapon-seller, filthy:

221. 'That of all others, mentioned in order, whose 'food must never be tasted, is held equal by the wise 'to the skin, bones, and hair of the dead.

222. 'Having unknowingly swallowed the food of 'any such persons, he must fast during three days; 'but, having eaten it knowingly, he must perform the 'same harsh penance, as if he had tasted any semi-'nal impurity, ordure, or urine.

223. 'Let no learned priest eat the dressed grain 'of a servile man, who performs no parental obse-'quies; but, having no other means to live, he may 'take from him raw grain enough for a single night.

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224. 'The deities, having well considered the food 'of a niggard, who has read the scripture, and that 'of an usurer, who bestows gifts liberally, declared 'the food of both to be equal in quality;

225. 'But BRAHMA', advancing towards the gods, 'thus addressed them: "Make not that equal, which 'in truth is unequal; since the food of a liberal man 'is purified by faith, while that of a learned miser is 'defiled by his want of faith in what he has read."

226. 'LET each *wealthy* man continually and sedu-'lously perform sacred rites, and consecrate pools or 'gardens with faith; since those two acts, accom-'plished with faith and with riches honestly gained, 'procure an unperishable reward:

227. 'If he meet with fit objects of benevolence, 'let him constantly bestow gifts on them, both at 'sacrifices and consecrations, to the best of his power 'and with a chearful heart;

228. 'Such a gift, how small soever, bestowed on 'request without grudging, passes to a worthy object, 'who will secure the giver from all evil.

229. 'A giver of water obtains content; a giver of 'food, extreme bliss; a giver of *tila*, desired off-'spring; a giver of a lamp, unblemished eyesight;

230. 'A giver of land obtains landed property; a 'giver of gems or gold, long life; a giver of a house, 'the most exalted mansion; a giver of silver, exqui-'site beauty;

231. 'A giver

231. 'A giver of clothes, the same station with 'CHANDRA; a giver of a horse, the same station with 'ASWI; a giver of a bull, eminent fortune; a giver 'of a cow, the mansion of SU'RYA; CHAP. IV.

232. 'A giver of a carriage or a bed, an excellent 'consort; a giver of safety, supreme dominion; a 'giver of grain, perpetual delight; a giver of scriptu-'ral knowledge, union with GOD:

233. 'Among all those gifts, of water, food, kine, 'land, clothes, *tila*, gold, clarified butter, and the 'rest, a gift of spiritual knowledge is consequently the 'most important;

234. 'And for whatever purpose a man bestows any 'gift, for a similar purpose he shall receive, with due 'honour, a similar reward.

235. 'Both he, who respectfully bestows a pre-'sent, and he who respectfully accepts it, shall go 'to a seat of bliss; but, if they act otherwise, to a 'region of horrour.

236. 'LET not a man be proud of his rigorous devo-'tion; let him not, having sacrificed, utter a false-'hood; let him not, though injured, insult a priest; 'having made a donation, let him never proclaim it:

237. 'By falsehood, the sacrifice becomes vain; by 'pride, the merit of devotion is lost; by insulting 'priests, life is diminished; and by proclaiming a 'largess, its fruit is destroyed.

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238. ' Giving no pain to any creature, let him col- ' lect virtue by degrees, for the sake of acquiring a ' companion to the next world, as the white ant by ' degrees builds his nest;

239. ' For, in his passage to the next world, neither ' his father, nor his mother, nor his wife, nor his son, ' nor his kinsmen, will remain in his company: his ' virtue alone will adhere to him.

240. ' Single is each man born; single he dies; sin- ' gle he receives the reward of his good, and single ' the punishment of his evil, deeds:

241. ' When he leaves his corse, like a log or a ' lump of clay, on the ground, his kindred retire with ' averted faces; but his virtue accompanies his soul.

242. ' Continually, therefore, by degrees, let him ' collect virtue, for the sake of securing an insepara- ' ble companion; since with virtue for his guide, he ' will traverse a gloom, how hard to be traversed!

243. ' A man, habitually virtuous, whose offences ' have been expiated by devotion, is instantly con- ' veyed after death to the higher world, with a radiant ' form and a body of ethereal substance.

244. ' He, who seeks to preserve an exalted rank, ' must constantly form connexions with the highest ' and best families, but avoid the worst and the ' meanest;

245. ' Since a priest, who connects himself with the ' best

'best and highest of men, avoiding the lowest and 'worst, attains eminence; but sinks, by an opposite 'conduct, to the class of the servile.

246. 'He, who perseveres in good actions, in sub-'duing his passions, in bestowing largesses, in gentle-'ness of manners, who bears hardships patiently, who 'associates not with the malignant, who gives pain to 'no sentient being, obtains final beatitude.

247. 'Wood, water, roots, fruit, and food placed 'before him without his request, he may accept from 'all men; honey also, and protection from danger.

248. 'Gold, or other alms, voluntarily brought and 'presented, but unasked and unpromised, Brahmá 'considered as receivable even from a sinner:

249. 'Of him, who shall disdain to accept such 'alms, neither will the manes eat the funeral oblations 'for fifteen years, nor will the fire convey the burnt 'sacrifice to the gods.

250. 'A bed, houses, blades of *cusa*, perfumes, 'water, flowers, jewels, butter-milk, ground rice, fish, 'new milk, flesh-meat, and green vegetables, let him 'not proudly reject.

251. 'When he wishes to relieve his natural parents 'or spiritual father, his wife or others, whom he is 'bound to maintain, or when he is preparing to ho-'nour deities or guests, he may receive gifts from any 'person, but must not gratify himself with such pre-'sents:

252. 'If

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252. 'If his parents, however, be dead, or if he 'live without them in his own house, let him, when 'he seeks nourishment for himself, receive presents 'invariably from good men alone.

253. 'A labourer in tillage, a family friend, a herds-'man, a slave, a barber, a poor stranger offering 'his humble duty, are men of the servile class, who 'may eat the food of their superiours:

254. 'As the nature of the poor stranger is, as the 'work is, which he desires to perform, and as he 'may show most respect *to the master of the house*, 'even thus let him offer his service;

255. 'For he, who describes himself to worthy men, 'in a manner contrary to truth, is the most sinful 'wretch in this world: he is the worst of thieves, a 'stealer of minds.

256. 'All things have their sense ascertained by 'speech; in speech they have their basis; and from 'speech they proceed: consequently, a falsifier of 'speech falsifies every thing.

257. 'When he has paid, as the law directs, his 'debts to the sages, to the manes, and to the gods, '*by reading the scripture, begetting a son, and per-'forming regular sacrifices*, he may resign all to his 'son *of mature age*, and reside in his family-house, 'with no employment, but that of an umpire.

258. 'Alone, in some solitary place, let him con-

'stantly

'stantly meditate on the divine nature of the soul, CHAP. IV.
'for by such meditation he will attain happiness.

259. 'THUS has been declared the mode, by which 'a *Bráhmen*, who keeps house, must continually sub- 'sist, together with the rule of devotion ordained for 'a pupil returned from his preceptor; a laudable rule, 'which increases the best of *the three* qualities.

260. 'A priest, who lives always by these rules, 'who knows the ordinances of the *Véda*, who is freed 'from the bondage of sin, shall be absorbed in the 'divine essence.

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On Diet, Purification, and Women.

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1. The sages, having heard those laws delivered for the conduct of house-keepers, thus addressed the high-minded Bhrigu, who proceeded *in a former birth* from the genius of fire.

2. ' How, Lord, can death prevail over *Bráhmens*, ' who know the scriptural ordinances, and perform their ' duties as they have been declared?'

3. Then he, whose disposition was perfect virtue, even Bhrigu, the son of Menu, thus answered the great *Rishis*: ' Hear, from what sin proceeds the inclination of death, to destroy the chief of the twice-born:

4. ' Through a neglect of reading the *Véda*, through ' a desertion of approved usages, through supine remissness *in performing holy rites*, and through various ' offences in diet, *the genius of* death becomes eager ' to destroy them.

5. ' Garlick, onions, leeks, and mushrooms (which ' no twice-born man must eat), and all vegetables ' raised in dung.

6. ' Red gums or resins, exuding from trees, and ' juices from wounded stems, the fruit *sélu*, and the ' thickened

' thickened milk of a cow within ten days after her ' calving, a priest must avoid with great care. CHAP. V.

7. ' Rice-pudding boiled with *tila*, frumenty, rice-' milk, and baked bread, which have not been first ' offered to some deity, flesh-meat also, the food of ' gods, and clarified butter, which have not first been ' touched, while holy texts were recited,

8. ' Fresh milk from a cow, whose ten days are ' not passed, the milk of a camel, or any quadruped ' with a hoof not cloven, that of an ewe, and that ' of a cow in heat, or whose calf is dead or absent ' from her,

9. ' That of any forest-beast, except the buffalo, ' the milk of a woman, and any thing naturally sweet ' but acidulated, must all be carefully shunned:

10. ' But among such acids, buttermilk may be ' swallowed, and every preparation of buttermilk, and ' all acids extracted from pure flowers, roots, or fruit ' *not cut with iron.*

11. ' Let every twice-born man avoid carnivorous ' birds, and such as live in towns, and quadrupeds ' with uncloven hoofs, except those allowed by the ' *Véda*, and the bird called *tittibha;*

12. ' The sparrow, the water-bird *plava*, the pheni-' copteros, the *chacraváca*, the breed of the town-' cock, the *sárasa*, the *rajjuvála*, the woodpecker, ' and the parrot, male and female;

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13. 'Birds, that strike with their beaks, webfooted 'birds, the *cóyashti*, those, who wound with strong 'talons, and those, who dive to devour fish; let him 'avoid meat kept at a slaughter-house, and dried 'meat,

14. 'The heron, the raven, the *c'hanjana*, all amphi-'bious fish-eaters, tame hogs, and fish of every sort, '*but those expressly permitted.*

15. 'He, who eats the flesh of any animal, is called 'the eater of that animal itself; and a fish-eater is 'an eater of all flesh; from fish, therefore, he must 'diligently abstain:

16. 'Yet the two fish, called *pát'hína* and *róhita*, 'may be eaten *by the guests*, when offered at a re-'past in honour of the gods or the manes; and so 'may the *rájíva*, the *sinhatunda*, and the *sasalca* of 'every species.

17. 'Let him not eat the flesh of any solitary ani-'mals, nor of unknown beasts or birds, though by 'general words declared eatable, nor of any creature 'with five claws;

18. 'The hedgehog and porcupine, the lizard *gódhá*, 'the *gandaca*, the tortoise, and the *rabbit or* hare, 'wise legislators declare lawful food among five-toed 'animals; and all quadrupeds, camels excepted, which 'have but one row of teeth.

19. 'The twice-born man, who has intentionally 'eaten

'eaten a mushroom, the flesh of a tame hog, or a town-cock, a leek, or an onion, or garlick, is degraded immediately; CHAP. V.

20. 'But having undesignedly tasted either of those six things, he must perform the penance *sántapana*, or the *chándráyana*, which anchorets practise; for other things he must fast a whole day.

21. 'One of those harsh penances, called *prájápatya*, the twice-born man must perform annually, to purify him from the unknown taint of illicit food; but he must do particular penance for such food intentionally eaten.

22. 'Beasts and birds of excellent sorts may be slain by *Bráhmens* for sacrifice, or for the sustenance of those, whom they are bound to support; since Agastya did this of old.

23. 'No doubt, in the primeval sacrifices by holy men, and in oblations by those of the priestly and military tribes, the flesh of such beasts and birds, as may be legally eaten, was presented to the deities.

24. 'That, which may be eaten or drunk, *when fresh*, without blame, may be swallowed, if touched with oil, though it has been kept a whole night; and so may the remains of clarified butter:

25. 'And every mess prepared with barley or wheat, or with dressed milk, may be eaten by the twice-born, although not sprinkled with oil.

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26. 'Thus has the food, allowed or forbidden to a 'twice-born man, been comprehensively mentioned: 'I will now propound the *special* rules for eating and 'for avoiding flesh-meat.

27. 'He should taste meat, which has been hal-'lowed for a sacrifice with appropriated texts, and, '*once only*, when a priest shall desire him, and when 'he is performing a legal act, or in danger of losing 'life.

28. 'For the sustenance of the vital spirit, BRAH-'MA' created all this *animal and vegetable system;* 'and all, that is moveable or immoveable, that spirit 'devours.

29. 'Things fixed are eaten by creatures with lo-'comotion; toothless animals, by animals with teeth; 'those without hands, by those to whom hands were 'given; and the timid, by the bold.

30. 'He, who eats *according to law*, commits no 'sin, even though every day he tastes the flesh of 'such animals, as may lawfully be tasted; since both 'animals, who may be eaten, and those who eat 'them, were equally created by BRAHMA'.

31. 'It is delivered as a rule of the gods, that 'meat must be swallowed only for the purpose of 'sacrifice; but it is a rule of gigantick demons, that 'it may be swallowed for any other purpose.

32. 'No sin is committed by him, who, having ho-'noured the deities and the manes, eats flesh-meat, 'which

'which he has bought, or which he has himself ac- CHAP. V.
'quired, or which has been given him by another:

33. 'Let no twice-born man, who knows the law, 'and is not in urgent distress, eat flesh without ob- 'serving this rule; for he, unable to save himself, 'will be devoured in the next world by those ani- 'mals, whose flesh he has thus illegally swallowed.

34. 'The sin of him, who kills deer for gain, is 'not so heinous, with respect to *the punishment in* 'another life, as that of him, who eats flesh-meat in 'vain, *or not previously offered as a sacrifice:*

35. 'But the man, who, engaged *in holy rites* ac- 'cording to law, refuses to eat it, shall sink in 'another world, for twenty-one births, to the state 'of a beast.

36. 'Never let a priest eat the flesh of cattle un- 'hallowed with *mantras*, but let him eat it, observing 'the primeval rule, when it has been hallowed with 'those texts of the *Véda*.

37. 'Should he have an earnest desire to taste 'flesh-meat, he may gratify his fancy by forming the 'image of some beast with clarified butter thickened, 'or he may form it with dough; but never let him 'indulge a wish to kill any beast in vain:

38. 'As many hairs as grow on the beast, so many 'similar deaths shall the slayer of it, for his own 'satisfaction in this world, endure in the next from 'birth to birth.

39. 'By

39. 'By the self-existing in person were beasts 'created for sacrifice; and the sacrifice *was ordained* 'for the increase of this universe: the slaughterer, 'therefore, of beasts for sacrifice is in truth no slaugh-'terer.

40. 'Gramineous plants, cattle, timber-trees, am-'phibious animals, and birds, which have been de-'stroyed for the purpose of sacrifice, attain in the 'next world exalted births.

41. 'On a solemn offering to a guest, at a sacri-'fice, and in holy rites to the manes or to the gods, 'but on those occasions only, may cattle be slain: 'this law MENU enacted.

42. 'The twice-born man, who, knowing the mean-'ing and principles of the *Véda*, slays cattle on the 'occasions mentioned, conveys both himself and those 'cattle to the summit of beatitude.

43 'Let no twice-born man, whose mind is im-'proved by learning, hurt animals without the sanc-'tion of scripture, even though in pressing distress, 'whether he live in his own house, or in that of his 'preceptor, or in a forest.

44. 'That hurt, which the scripture ordains, and 'which is done in this world of moveable and im-'moveable creatures, he must consider as no hurt at 'all; since law shone forth from *the light of* the scrip-'ture.

45. 'He, who injures animals, that are not injurious, 'from

'from a wish to give himself pleasure, adds nothing 'to his own happiness, living or dead;

46. 'While he, who gives no creature willingly the 'pain of confinement or death, but seeks the good 'of all *sentient beings*, enjoys bliss without end.

47. 'He, who injures no animated creature, shall 'attain without hardship whatever he thinks of, what- 'ever he strives for, whatever he fixes his mind on.

48. 'Flesh-meat cannot be procured without injury 'to animals, and the slaughter of animals obstructs 'the path to beatitude; from flesh-meat, therefore, 'let man abstain:

49. 'Attentively considering the formation of bodies, 'and the death or confinement of embodied spirits, 'let him abstain from eating flesh-meat of any kind.

50. 'The man, who forsakes not the law, and eats 'not flesh-meat, like a blood-thirsty demon, shall at- 'tain good will in this world, and shall not be afflicted 'with maladies.

51. 'He, who consents to the death of an animal; 'he, who kills it; he, who dissects it; he, who buys 'it; he, who sells it; he, who dresses it; he, who 'serves it up; and he, who makes it his food; these 'are eight principals in the slaughter.

52. 'Not a mortal exists more sinful than he, who, 'without an oblation to the manes or the gods, de- 'sires to enlarge his own flesh with the flesh of ano- 'ther creature.

54. 'The

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53. 'The man, who performs annually, for a hun-'dred years, an *aswamédha*, or *sacrifice of a horse*, and 'the man, who abstains from flesh-meat, enjoy for 'their virtue an equal reward.

54. 'By subsisting on pure fruit and on roots, and 'by eating such grains as are eaten by hermits, a 'man reaps not so high a reward, as by carefully 'abstaining from animal food.

55. '"Me he (*mán sa*) will devour in the next 'world, whose flesh I eat in this life;" *thus should a 'flesh eater speak, and* thus the learned pronounce the 'true derivation of the word *mánsa*, or flesh.

56. 'In lawfully tasting meat, in drinking fermented 'liquor, in caressing women, there is no turpitude; 'for to such enjoyments men are naturally prone: but 'a virtuous abstinence from them produces a signal 'compensation.

57. 'Now will I promulgate the rules of purification 'for the dead, and the modes of purifying inanimate 'things, as the law prescribes them for the four 'classes in due order.

58. 'When a child has teethed, and when, after 'teething, his head has been shorn, and when he has 'been girt with his thread, and when, being full 'grown, he dies, all his kindred are impure: on the 'birth of a child the law is the same.

59. 'By a dead body, the *sapindas* are rendered 'impure in the law for ten days, or until *the fourth*

'*day*,

‘ *day, when* the bones have been gathered up, or for ‘ three days, or for one day only, *according to the* ‘ *qualities of the deceased:*

60. ‘ Now the relation of the *sapindas*, or men con- ‘ nected by the funeral cake, ceases with the seventh ‘ person, *or in the sixth degree of ascent or descent*, ‘ and that of *samánódacas*, or those connected by an ‘ equal oblation of water, ends only, when their ‘ births and family-names are no longer known.

61. ‘ As this impurity, by reason of a dead kins- ‘ man, is ordained for *sapindas*, even thus it is or- ‘ dained on a child-birth, for those who seek absolute ‘ purity.

62. ‘ Uncleanness, on account of the dead, is or- ‘ dained for all; but on the birth of a child, for the ‘ mother and father: impurity, for ten days after the ‘ child-birth, affects the mother only; but the father, ‘ having bathed, becomes pure.

63. ‘ A man, having wasted his manhood, is puri- ‘ fied by bathing; but, after begetting a child on a ‘ *parapúrvá*, he must meditate for three days on his ‘ impure state.

64. ‘ In one day and night, added to nights three ‘ times three, the *sapiṇdas* are purified after touching ‘ the corpse; but the *samánódacas*, in three days.

65. ‘ A pupil in theology, having performed the ‘ ceremony of burning his deceased preceptor, be-

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'comes pure in ten nights: he is equal, in that case, 'to the *sapindas*, who carry out the dead.

66. 'In a number of nights, equal to the number 'of months from conception, a woman is purified on 'a miscarriage; and a woman in her courses is ren'dered pure by bathing, when her effusion of blood 'has quite stopped.

67. 'For deceased male children, whose heads have 'not been shorn, purity is legally obtained in one 'night; but for those, on whom that ceremony has 'been performed, a purification of three nights is re'quired.

68. 'A dead child under the age of two years, let 'his kinsmen carry out having decked him *with* '*flowers, and bury him* in pure ground, without col'lecting his bones *at a future time:*

69. 'Let no ceremony with fire be performed for 'him, nor that of sprinkling water; but his kindred, 'having left him like a piece of wood in the forest, 'shall be unclean for three days.

70. 'For a child under the age of three years, the 'ceremony with water shall not be performed by his 'kindred; but, if his teeth be completely grown, or 'a name have been given him, they may perform it, 'or not, *at their option.*

71. 'A fellow student in theology being dead, three 'days of impurity are ordained; and, on the birth of 'a *samánódaca*, purification is required for three nights.

72. 'The

72. ‘The relations of *betrothed but* unmarried dam‘sels, are in three days made pure; and, in as many, ‘are their paternal kinsmen purified *after their mar‘riage:*

73. ‘Let them eat vegetable food without factitious, ‘*that is, only with native*, salt; let them bathe for ‘three days at intervals; let them taste no flesh‘meat; and let them sleep apart on the ground.

74. ‘This rule, which ordains impurity by reason ‘of the dead, relates to the case of one dying near ‘his kinsmen; but, in the case of one dying at a dis‘tance, the following rule must be observed by those, ‘who share the same cake, and by those, who share ‘only the same water:

75. ‘The man, who hears that a kinsman is dead ‘in a distant country, becomes unclean, if ten days ‘after the death have not passed, for the remainder ‘of those ten days only;

76. ‘But, if the ten days have elapsed, he is impure ‘for three nights, and, if a year have expired, he is ‘purified merely by touching water.

77. ‘If, after the lapse of ten days, he know the ‘death of a kinsman, or the birth of a male child, ‘he must purify himself by bathing together with his ‘clothes.

78. ‘Should a child, whose teeth are not grown, ‘or should a *samánódaca*, die in a distant region, the

CHAP. V. ‘ kinsman, having bathed with his apparel, becomes ‘ immediately pure.

79. ‘ If, during the ten days, another death or another birth intervene, a *Bráhmen* remains impure, only ‘ till those ten days have elapsed.

80. ‘ A spiritual teacher being dead, the sages declare his pupil impure for three days; but for a day ‘ and a night, if the son or wife of the teacher be ‘ deceased: such is the sacred ordinance.

81. ‘ For a reader of the whole *Véda*, who dwells ‘ in the same house, a man is unclean three nights; ‘ but for a maternal uncle, a pupil, an officiating ‘ priest, and a distant kinsman, only one night *winged* ‘ *with two days*.

82. ‘ On the death of a military king, in whose dominion he lives, *his impurity lasts* while the sun or ‘ the stars give light; but *it lasts* a whole day, on ‘ the death of a priest, who has not read the whole ‘ *Véda*, or of a spiritual guide, who has read only ‘ part of it, with its *Angas*.

83. ‘ A man of the sacerdotal class becomes pure ‘ in ten days; of the warlike, in twelve; of the commercial, in fifteen;* of the servile, in a month.

84. ‘ Let no man prolong the days of impurity; ‘ let him not intermit the ceremonies to be performed ‘ with

* See Note on Book V. verse 83.

'with holy fires: while he performs those rites, even 'though he be a *sapinda*, he is not impure. CHAP. V.

85. 'He, who has touched a *Chandála*, a woman 'in her courses, an outcast for deadly sin, a new-'born child, a corpse, or one who has touched a 'corpse, is made pure by bathing.

86. 'If, having sprinkled his mouth with water, and 'been long intent on his devotion, he see an unclean 'person, let him repeat, as well as he is able, the 'solar texts of the *Véda*, and those, which confer purity.

87. 'Should a *Bráhmen* touch a human bone moist 'with oil, he is purified by bathing; if it be not oily, 'by stroking a cow, or by looking at the sun, having 'sprinkled his mouth duly with water.

88. 'A student in theology shall not perform the 'ceremony of pouring water at obsequies, until he 'have completed his course of religious acts; but if, 'after the completion of them, he thus make an offer-'ing of water, he becomes pure in three nights.

89. 'For those, who discharge not their prescribed 'duties, for those, whose fathers were of a lower 'class than their mothers, for those, who wear a 'dress of religion unauthorized by the *Véda*, and for 'those, who *illegally* kill themselves, the ceremony of 'giving funeral water is forbidden by law;

90. 'And for women imitating such hereticks, as 'wear an unlawful dress, and for such women as live

'at

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'at their own pleasure, or have caused an abortion, 'or have stricken their husbands, or have drunk any 'spirituous liquor.

91. 'A student violates not the rules of his order, 'by carrying out, when dead, his own instructor in 'the *Védas*, who invested him with his holy cord, 'or his teacher of particular chapters, or his reverend 'expounder of their meaning, or his father, or his 'mother.

92. 'Let men carry out a dead *Súdra* by the 'southern gate of the town; but the twice-born, in 'due order, by the western, northern, and eastern 'gates.

93. 'No taint of impurity can light on kings or 'students in theology, *while employed in discharging* '*their several duties*, nor on those who have actually 'begun a sacrifice; for the first are then placed on 'the seat of Indra, and the others are always equally 'pure with the celestial spirit.

94. 'To a king, on the throne of magnanimity, the 'law ascribes instant purification, because his throne 'was raised for the protection of his people and the 'supply of their nourishment:

95. 'It is the same with *the kinsmen of* those, who 'die in battle, after the king has been slain, or have 'been killed by lightning, or legally by the king him- 'self, or in defence of a cow, or of a priest; and 'with all those, whom the king wishes to be pure.

96. 'The

96. ‘ The corporeal frame of a king is composed ‘ of particles from So'ma, Agni, Su'rya, Pavana, Indra, ‘ Cuve'ra, Varuna, and Yama, the eight guardian ‘ deities of the world: CHAP. V.

97. ‘ By those guardians of men in substance is the ‘ king pervaded, and he cannot by law be impure; ‘ since by those tutelar gods are the purity and im- ‘ purity of mortals both caused and removed.

98. ‘ By a soldier, discharging the duties of his class, ‘ and slain in the field with brandished weapons, the ‘ highest sacrifice is, in that instant, complete; and ‘ so is his purification: this law is fixed.

99. ‘ A priest, having performed funeral rites, is ‘ purified by touching water; a soldier, by touching ‘ his horse or elephant, or his arms; a husbandman, ‘ by touching his goad, or the halter of his cattle; a ‘ servant, by touching his staff.

100. ‘ This mode of purifying *sapindas*, O chief of ‘ the twice-born, has been fully declared to you! learn ‘ now the purification required on the death of kins- ‘ men less intimately connected.

101. ‘ A *Bráhmen*, having carried out a dead *Bráh-* ‘ *men*, though not a *sapinda*, with the affection of a ‘ kinsman, or any of those nearly related to him by ‘ his mother, becomes pure in three days;

102. ‘ But, if he taste the food offered by their ‘ *sapindas*, he is purified in ten days; and in one day, ‘ if

CHAP. V.

'if he neither partake of their food, nor dwell in 'the same house.

103. 'If he voluntarily follow a corpse, whether of 'a paternal kinsman or of another, and afterwards 'bathe with his apparel, he is made pure by touch-'ing fire and tasting clarified butter.

104. 'Let no kinsman, whilst any of his own class 'are at hand, cause a deceased *Bráhmen* to be carried 'out by a *Súdra;* since the funeral rite, polluted by 'the touch of a servile man, obstructs his passage 'to heaven.

105. 'Sacred learning, austere devotion, fire, holy 'aliment, earth, the mind, water, smearing with cow-'dung, air, prescribed acts of religion, the sun, and 'time, are purifiers of imbodied spirits;

106. 'But of all pure things, purity in acquiring 'wealth, is pronounced the most excellent: since he, 'who gains wealth with clean hands, is truly pure; 'not he, who is purified merely with earth and water.

107. 'By forgiveness of injuries, the learned are 'purified; by liberality, those who have neglected their 'duty; by pious meditation, those who have secret 'faults; by devout austerity, those who best know 'the *Véda.*

108. 'By water and earth is purified what ought to 'be made pure; a river, by its current; a woman, 'whose thoughts have been impure, by her monthly 'discharge,

'discharge, and the chief of twice-born men, by fixing 'his mind wholly on God. CHAP. V.

109. 'Bodies are cleansed by water; the mind is 'purified by truth; the vital spirit, by theology and 'devotion; the understanding, by clear knowledge.

110. 'Thus have you heard me declare the precise 'rules for purifying animal bodies: hear now the modes 'of restoring purity to various inanimate things.

111. 'Of brilliant metals, of gems, and of every 'thing made with stone, the purification, ordained by 'the wise, is with ashes, water, and earth.

112. 'A golden vessel, not smeared, is cleansed with 'water only; and every thing produced in water, *as* '*coral, shells, or pearls,* and every stony substance, 'and a silver vessel not enchased.

113. 'From a junction of water and fire arose gold 'and silver; and they two, therefore, are best purified 'by the elements, whence they sprang.

114. 'Vessels of copper, iron, brass, pewter, tin 'and lead, may be fitly cleansed with ashes, with 'acids, or with water.

115. 'The purification ordained for all sorts of li'quids, is by stirring them with *cusa*-grass; for cloths 'folded, by sprinkling them with hallowed water; 'for wooden utensils, by planing them.

116. 'For the sacrificial pots to hold clarified but'ter and juice of the moon-plant, by rubbing them

CHAP. V. 'with the hand, and washing them, at the time of 'the sacrifice:

117. 'Implements to wash the rice, to contain the 'oblations, to cast them into the fire, to collect, win-'now, and prepare the grain, must be purified with 'water made hot.

118. 'The purification by sprinkling is ordained for 'grain and cloths in large quantities; but to purify 'them in small parcels, *which a man may easily carry*, 'they must be washed.

119. 'Leathern utensils, and such as are made with 'cane, must generally be purified in the same man-'ner with cloths; green vegetables, roots, and fruit, 'in the same manner with grain;

120. 'Silk and woollen stuff, with saline earths; 'blankets from *Népála*, with pounded *arishtas*, or *nimba* 'fruit; vests and long drawers, with the fruit of the '*Vilva;* mantles of *cshumá*, with white mustard-seeds.

121. 'Utensils made of shells or of horn, of bones 'or of ivory, must be cleansed by him, who knows 'the law, as mantles of *cshumá* are purified, with 'the addition of cows' urine or of water.

122. 'Grass, firewood, and straw, are purified by 'sprinkling them with water; a house, by rubbing, 'brushing, and smearing with cow-dung; an earthen 'pot, by a second burning:

123. 'But an earthen pot, which has been touched 'with

'with any spirituous liquor, with urine, with ordure, CHAP.
'with spittle, with pus, or with blood, cannot, even V.
'by another burning, be rendered pure.

124. 'Land is cleansed by five modes; by sweeping, 'by smearing with cow-dung, by sprinkling with cows' 'urine, by scraping, or by letting a cow pass a day 'and a night on it.

125. 'A thing nibbled by a bird, smelt at by a 'cow, shaken with a foot, sneezed on, or defiled by 'lice, is purified by earth scattered over it.

126. 'As long as the scent or moisture, caused by 'any impurity, remain on the thing soiled, so long 'must earth and water be repeatedly used in all pu'rifications of things inanimate.

127. 'The gods declared three pure things peculiar 'to *Bráhmens;* what has been defiled without their 'knowledge; what, in cases of doubt, they sprinkle 'with water; and what they commend with their 'speech.

128. 'Waters are pure, as far as a cow goes to 'quench her thirst in them, if they flow over clean 'earth, and are sullied by no impurity, but have a 'good scent, colour, and taste.

129. 'The hand of an artist *employed in his art* 'is always pure; so is every vendible commodity, 'when exposed to sale; and that food is always clean, 'which a student in theology has begged and received: 'such is the sacred rule.

CHAP. V.

130. 'The mouth of a woman is constantly pure; 'a bird is pure on the fall of fruit, which he has 'pecked; a sucking animal, on the flowing of the 'milk; a dog, on his catching the deer:

131. 'The flesh of a wild beast slain by dogs, 'MENU pronounces pure; and that of an animal slain 'by other carnivorous creatures, or by men of the 'mixed class, who subsist by hunting.

132. 'All the cavities above the navel are pure, 'and all below it, unclean; so are all excretions, that 'fall from the body.

133. 'Gnats, clear drops from the mouth of a 'speaker, a shadow, a cow, a horse, sun-beams, dust, 'earth, air, and fire, must all be considered as clean, 'even when they touch *an unclean thing*.

134. 'For the cleansing of vessels, which have held 'ordure or urine, earth and water must be used, as 'long as they are needful; and the same for cleansing 'the twelve corporeal impurities.

135. 'Oily exudations, seminal fluids, blood, dan-'druff, urine, feces, ear-wax, nail-parings, phlegm, 'tears, concretions on the eyes, and sweat, are the 'twelve impurities of the human frame.

136. 'By the man, who desires purity, one piece 'of earth *together with water* must be used for the 'conduit of urine, three for that of the feces; so, ten 'for one hand, *that is, the left;* then seven for both: '*but, if necessary, more must be used.*

137. 'Such

137. ‘ Such is the purification of married men; that ‘ of students must be double; that of hermits, triple; ‘ that of men wholly recluse, quadruple. CHAP. V.

138. ‘ Let each man sprinkle the cavities of his ‘ body, and taste water in due form, when he has ‘ discharged urine or feces; when he is going to read ‘ the *Véda;* and, invariably, before he takes his food:

139. ‘ First, let him thrice taste water; then twice ‘ let him wipe his mouth, if he *be of a twice-born class,* ‘ *and* desire corporeal purity; but a woman or servile ‘ man may once respectively make that ablution.

140. ‘ *Súdras,* engaged in religious duties, must per- ‘ form each month the ceremony of shaving their ‘ heads; their food must be the orts of *Bráhmens;* ‘ and their mode of purification, the same with that ‘ of a *Vaisya.*

141. ‘ Such drops of water, as fall from the mouth or any part of the body, render it not unclean; nor ‘ hairs of the beard, that enter the mouth; nor what ‘ adheres awhile to the teeth.

142. ‘ Drops, which trickle on the feet of a man ‘ holding water for others, are held equal to waters ‘ flowing over pure earth: by them he is not defiled.

143. ‘ He, who carries in any manner an inanimate ‘ burden, and is touched by any thing impure, is ‘ cleansed by making an ablution, without laying his ‘ burden down.

144. ‘ Having vomited or been purged, let him

‘ bathe

CHAP. V.

'bathe and taste clarified butter, but, if he have eaten 'already, let him only perform an ablution: for him, 'who has been connected with a woman, bathing is 'ordained by law.

145. 'Having slumbered, having sneezed, having 'eaten, having spitten, having told untruths, having 'drunk water, and going to read sacred books, let 'him, though pure, wash his mouth.

146. 'This perfect system of rules for purifying men 'of all classes, and for cleansing inanimate things, 'has been declared to you: hear now the laws con-'cerning women.

147. 'By a girl, or by a young woman, or by a 'woman advanced in years, nothing must be done, 'even in her own dwelling place, according to her 'mere pleasure:

148. 'In childhood must a female be dependent on 'her father; in youth, on her husband; her lord 'being dead, on her sons; *if she have no sons, on the 'near kinsmen of her husband; if he left no kinsmen, 'on those of her father; if she have no paternal kins-'men, on the sovereign:* a woman must never seek 'independence.

149. 'Never let her wish to separate herself from 'her father, her husband, or her sons; for, by a 'separation from them, she exposes both families to 'contempt.

150. 'She must always live with a cheerful temper, 'with

'with good management in the affairs of the house, 'with great care of the household furniture, and with 'a frugal hand in all her expences. CHAP. V.

151. 'Him, to whom her father has given her, or 'her brother with the paternal assent, let her obse-'quiously honour, while he lives; and, when he dies, 'let her never neglect him.

152. 'The recitation of holy texts, and the sacri-'fice ordained by the lord of creatures, are used in 'marriages for the sake of procuring good fortune to 'brides; but the first gift, *or troth plighted*, by the 'husband, is the primary cause *and origin* of marital 'dominion.

153. 'When the husband has performed the nuptial 'rites with texts from the *Véda*, he gives bliss con-'tinually to his wife here below, both in season and 'out of season; and he will give her happiness in 'the next world.

154. 'Though inobservant of approved usages, or 'enamoured of another woman, or devoid of good 'qualities, yet a husband must constantly be revered 'as a god by a virtuous wife.

155. 'No sacrifice is allowed to women apart from 'their husbands, no religious rite, no fasting: as far 'only as a wife honours her lord, so far she is ex-'alted in heaven.

156. 'A faithful wife, who wishes to attain in heaven 'the

CHAP. V. 'the mansion of her husband, must do nothing unkind 'to him, be he living or dead:

157. 'Let her emaciate her body, by living voluntarily on pure flowers, roots, and fruit; but let 'her not, when her lord is deceased, even pronounce 'the name of another man.

158. 'Let her continue till death forgiving all injuries, 'performing harsh duties, avoiding every sensual pleasure, and cheerfully practising the incomparable rules 'of virtue, which have been followed by such women, 'as were devoted to one only husband.

159. 'Many thousands of *Bráhmens*, having avoided 'sensuality from their early youth, and having left no 'issue in their families, have ascended, *nevertheless*, 'to heaven;

160. 'And, like those abstemious men, a virtuous 'wife ascends to heaven, though she have no child, 'if, after the decease of her lord, she devote herself 'to pious austerity:

161. 'But a widow, who, from a wish to bear children, slights her deceased husband *by marrying* '*again*, brings disgrace on herself here below, and 'shall be excluded from the seat of her lord.

162. 'Issue, begotten on a woman by any other '*than her husband*, is here declared to be no progeny 'of hers; no more than a child, begotten on the 'wife of another man, *belongs to the begetter:* nor is

'a second

'a second husband allowed, in any part of this code, 'to a virtuous woman. CHAP. VI.

163. 'She, who neglects her former (*púrva*) lord, 'though of a lower class, and takes another (*para*) 'of a higher, becomes despicable in this world, and 'is called *parapúrvá*, or *one who had a different husband before*.

164. 'A married woman, who violates the duty, 'which she owes to her lord, brings infamy on herself in this life, and, *in the next*, shall enter the 'womb of a shakal, or be afflicted with *elephantiasis*, '*and other* diseases, which punish crimes;

165. 'While she, who slights not her lord, but keeps 'her mind, speech, and body, devoted to him, attains 'his heavenly mansion, and by good men is called '*sádhwì*, or *virtuous*.

166. 'Yes; by this course of life it is, that a woman, whose mind, speech, and body are kept in 'subjection, acquires high renown in this world, and, 'in the next, the same abode with her husband.

167. 'A twice-born man, versed in sacred ordinances, must burn, with hallowed fire and fit implements of sacrifice, his wife dying before him, if she 'was of his own class, and lived by these rules:

168. 'Having thus kindled sacred fires, and performed funeral rites to his wife, who died before 'him, he may again marry, and again light the 'nuptial fire.

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169. 'Let him not cease to perform day by day, 'according to the preceding rules, the five great 'sacraments; and, having taken a lawful consort, let 'him dwell in his house during the second period of 'his life.

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On Devotion; or on the Third and Fourth Orders.

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1. 'Having thus remained in the order of a house- CHAP. VI.
'keeper, as the law ordains, let the twice-born man, 'who had before completed his studentship, dwell in 'a forest, his faith being firm and his organs wholly 'subdued.

2. 'When the father of a family, perceives his 'muscles become flaccid and his hair gray, and sees 'the child of his child, let him then seek refuge in 'a forest:

3. 'Abandoning all food eaten in towns, and all his 'household utensils, let him repair to the lonely wood, 'committing the care of his wife to her sons, 'or 'accompanied by her, *if she chuse to attend him*.

4. 'Let him take up his consecrated fire, and all 'his domestick implements of making oblations to it, 'and, departing from the town to the forest, let him 'dwell in it with complete power over his organs *of* '*sense and of action*.

5. 'With many sorts of pure food, such as holy 'sages used to eat, with green herbs, roots, and 'fruit, let him perform the five great sacraments be-'fore mentioned, introducing them with due cere-'monies.

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6. 'Let him wear a black antelope's hide, or a 'vesture of bark; let him bathe evening and morn-'ing; let him suffer the hairs of his head, his beard, 'and his nails to grow continually.

7. 'From such food, as himself may eat, let him, 'to the utmost of his power, make offerings and give 'alms; and with presents of water, roots, and fruit, 'let him honour those who visit his hermitage.

8. 'Let him be constantly engaged in reading the '*Véda;* patient of all extremities, universally bene-'volent, with a mind intent on the Supreme Being; 'a perpetual giver, but no receiver of gifts; with 'tender affection for all animated bodies.

9. 'Let him, as the law directs, make oblations 'on the hearth with three sacred fires; not omitting 'in due time the ceremonies to be performed at the 'conjunction and opposition of the moon.

10. 'Let him also perform the sacrifice ordained in 'honour of the lunar constellations, make the pre-'scribed offering of new grain, and solemnize holy 'rites every four months, and at the winter and 'summer solstices.

11. 'With pure grains, the food of ancient sages, 'growing in the vernal and autumnal seasons, and 'brought home by himself, let him severally make, 'as the law ordains, the oblations of cakes and boiled 'grain;

12. 'And, having presented to the gods, that purest

'oblation,

' oblation, which the wild woods produced, let him ' eat what remains, together with some native salt, ' which himself collected. CHAP. VI.

13. ' Let him eat green herbs, flowers, roots, and ' fruit, that grow on earth or in water, and the produc- ' tions of pure trees, and oils formed in fruits.

14. ' Honey and flesh-meat he must avoid, and all ' sorts of mushrooms, the plant *bhústrĭna*, that named ' *sigruca*, and the fruit of the *sléshmátaca*.

15. ' In the month *A'swina* let him cast away the ' food of sages, which he before had laid up, and ' his vesture, then become old, and his herbs, roots, ' and fruit.

16. ' Let him not eat the produce of ploughed land, ' though abandoned by any man, *who owns it*, nor fruit ' and roots produced in a town, even though hunger ' oppress him.

17. ' He may eat what is mellowed by fire, and ' he may eat what is ripened by time; and either ' let him break hard fruits with a stone, or let his ' teeth serve as a pestle.

18. ' Either let him pluck enough for a day, or ' let him gather enough for a month; or let him col- ' lect enough for six months, or lay up enough for ' a year.

19. ' Having procured food, as he is able, he may ' eat it at eve or in the morning; or he may take ' only

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'only every fourth, or every eighth, such regular 'meal;

20. 'Or, by the rules of the lunar penance, he may 'eat a mouthful less each day of the bright, and 'a mouthful more each day of the dark fortnight; or 'he may eat only once, at the close of each fort'night, a mess of boiled grains:

21. 'Or he may constantly live on flowers and roots, 'and on fruit matured by time, which has fallen 'spontaneously, strictly observing the laws ordained 'for hermits.

22. 'Let him slide backwards and forwards on the 'ground; or let him stand a whole day on tiptoe; 'or let him continue in motion rising and sitting alter'nately; but at sunrise, at noon, and at sunset, let 'him go to the waters and bathe.

23. 'In the hot season, let him sit exposed to five 'fires, *four blazing around him with the sun above;* 'in the rains, let him stand uncovered, *without even a* '*mantle*, where the clouds pour *the heaviest* showers; 'in the cold season, let him wear humid vesture; and 'let him increase by degrees the austerity of his 'devotion:

24. 'Performing his ablution at the three *Savanas*, 'let him give satisfaction to the manes and to the 'gods; and, enduring harsher and harsher mortifica'tions, let him dry up his bodily frame.

25. 'Then

25. ‘Then, having reposited his holy fires, as the ‘law directs, in his mind, let him live without ex‘ternal fire, without a mansion, wholly silent, feeding ‘on roots and fruit; CHAP. VI.

26. ‘Not solicitous for the means of gratification, ‘chaste as a student, sleeping on the bare earth, in ‘the haunts of pious hermits, without one selfish affec‘tion, dwelling at the roots of trees.

27. ‘From devout *Bráhmens* let him receive alms ‘to support life, or from other housekeepers of twice‘born classes, who dwell in the forest:

28. ‘Or the hermit may bring food from a town, ‘having received it in a basket of leaves, in his naked ‘hand, or in a potsherd; and then let him swallow ‘eight mouthfuls.

29. ‘These and other rules must a *Bráhmen*, who ‘retires to the woods, diligently practise; and, for ‘the purpose of uniting his soul with the Divine ‘Spirit, let him study the various *Upanishads* of scrip‘ture, or *chapters on the essence and attributes of God*,

30. ‘Which have been studied with reverence by an‘chorites versed in theology, and by housekeepers, ‘who dwelt afterwards in forests, for the sake of in‘creasing their sublime knowledge and devotion, and ‘for the purification of their bodies.

31. ‘Or, *if he has any incurable disease*, let him ‘advance in a straight path, towards the invincible ‘*north eastern* point, feeding on water and air, till ‘his

CHAP. VI. 'his mortal frame totally decay, and his soul become 'united with the Supreme.

32. 'A *Bráhmen*, having shuffled off his body by 'any of those modes, which great sages practised, 'and becoming void of sorrow and fear, rises to 'exaltation in the divine essence.

33. 'Having thus performed religious acts in a forest 'during the third portion of his life, let him become 'a *Sannyásí* for the fourth portion of it, abandoning 'all sensual affections, *and wholly reposing in the Su-'preme Spirit:*

34. 'The man, who has passed from order to order, 'has made oblations to fire *on his respective changes 'of state*, and has kept his members in subjection, 'but, tired with *so long a course of giving* alms and '*making* offerings, thus reposes himself entirely on 'God, shall be raised after death to glory.

35. 'When he has paid his three debts *to the sages, 'the manes, and the gods*, let him apply his mind to 'final beatitude; but low shall He fall, who presumes 'to seek beatitude, without having discharged those 'debts:

36. 'After he has read the *Védas* in the form pre-'scribed by law, has legally begotten a son, and has 'performed sacrifices to the best of his power, he '*has paid his three debts, and* may then apply his 'heart to eternal bliss;

37. 'But if a *Bráhmen* have not read the *Véda*, if 'he

'he have not begotten a son, and if he have not 'performed sacrifices, yet shall aim at final beatitude, 'he shall sink to a place of degradation.

38. 'Having performed the sacrifice of PRAJA'PATI, 'accompanied with a gift of all his wealth, *and* hav'ing reposited in his mind the sacrificial fires, a *Bráh'men* may proceed from his house, *that is, from the 'second order, or he may proceed even from the first,* to 'the condition of a *Sannyásí.*

39. 'Higher worlds are illuminated with the glory 'of that man, who passes from his house into the 'fourth order, giving exemption from fear to all ani'mated beings, and pronouncing the *mystick words of* 'the *Véda:*

40. 'To the *Bráhmen,* by whom not even the smallest 'dread has been occasioned by sentient creatures, there 'can be no dread from any quarter whatever, when 'he obtains a release from his mortal body.

41. 'Departing from his house, taking with him 'pure implements, *his water-pot and staff,* keeping 'silence, unallured by desire of the objects near him, 'let him enter into the fourth order.

42. 'Alone let him constantly dwell, for the sake 'of his own felicity, observing the happiness of a 'solitary man, who neither forsakes nor is forsaken, 'let him live without a companion.

43. 'Let him have no culinary fire, no domicil; let 'him, *when very hungry,* go to the town for food;

 'let

CHAP. VI. 'let him patiently bear disease; let his mind be firm; 'let him study to know God, and fix his attention 'on God alone.

44. 'An earthen water-pot, the roots of large trees, 'coarse vesture, total solitude, equanimity toward all 'creatures, these are the characteristicks of a *Bráhmen* 'set free.

45. 'Let him not wish for death; let him not wish 'for life; let him expect his appointed time, as a 'hired servant expects his wages.

46. 'Let him advance his foot purified by looking 'down, *lest he touch any thing impure;* let him drink 'water purified by straining with a cloth, *lest he hurt 'some insect;* let him, *if he chuse to speak,* utter words 'purified by truth; let him by all means keep his 'heart purified.

47. 'Let him bear a reproachful speech with pa'tience; let him speak reproachfully to no man; let 'him not, on account of this *frail and feverish* body, 'engage in hostility with any one living.

48. 'With an angry man let him not in his turn be 'angry; abused, let him speak mildly; nor let him 'utter a word relating to vain illusory things and 'confined within seven gates, *the five organs of sense, 'the heart and the intellect; or this world, with three 'above and three below it.*

49. 'Delighted with meditating on the Supreme 'Spirit, sitting fixed in such meditation, without need-

'ing

'ing any thing earthly, without one sensual desire, 'without any companion but his own soul, let him 'live in this world seeking the bliss of the next.

50. 'Neither by explaining omens and prodigies, 'nor by skill in astrology and palmestry, nor by 'casuistry and expositions of holy texts, let him at 'any time gain his daily support.

51. 'Let him not go near a house frequented by 'hermits, or priests, or birds, or dogs, or other beg- 'gars.

52. 'His hair, nails, and beard being clipped, bear- 'ing with him a dish, a staff, and a water-pot, his 'whole mind being fixed on God, let him wander 'about continually, without giving pain to *animal or* '*vegetable* beings.

53. 'His dishes must have no fracture, nor must 'they be made of bright metals: the purification or- 'dained for them must be with water alone, like that 'of the vessels for a sacrifice.

54. 'A gourd, a wooden bowl, an earthen dish, or 'a basket made of reeds, has Menu, son of the Self- 'existing, declared fit vessels to receive the food of '*Bráhmens* devoted to God.

55. 'Only once a day let him demand food; let 'him not habituate him to eat much at a time; for 'an anchorite, habituated to eat much, becomes in- 'clined to sensual gratifications.

56. 'At the time when the smoke of kitchen fires

CHAP. VI. 'has ceased, when the pestle lies motionless, when 'the burning charcoal is extinguished, when people 'have eaten, and when dishes are removed, *that is,* '*late in the day*, let the *Sannyásí* always beg food.

57. 'For missing it, let him not be sorrowful; nor 'for gaining it, let him be glad; let him care only 'for a sufficiency to support life, but let him not be 'anxious about his utensils.

58. 'Let him constantly disdain to receive food 'after humble reverence; since, by receiving it in con-'sequence of an humble salutation, a *Sannyásí*, though 'free, becomes a captive.

59. 'By eating little and by sitting in solitary places, 'let him restrain those organs, which are naturally 'hurried away by sensual desires.

60. 'By the coercion of his members, by the absence 'of hate and affection, and by giving no pain to sen-'tient creatures, he becomes fit for immortality.

61. 'Let him reflect on the transmigrations of men 'caused by their sinful deeds, on their downfal into 'a region of darkness, and their torments in the man-'sion of YAMA;

62. 'On their separation from those, whom they love, 'and their union with those, whom they hate, on their 'strength overpowered by old age, and their bodies 'racked with disease;

63. 'On their agonizing departure from this cor-

'poreal

'poreal frame, their formation again in the womb, and 'the glidings of this vital spirit through ten thousand 'millions of uterine passages; CHAP. VI.

64. 'On the misery attached to embodied spirits 'from a violation of their duties, and the unperishable 'bliss attached to them from their abundant perform-'ance of all duties, religious and civil.

65. 'Let him reflect also, with exclusive application 'of mind, on the subtil indivisable essence of the 'Supreme Spirit, and its complete existence in all 'beings, whether extremely high or extremely low.

66. 'Equal-minded towards all creatures, in what 'order soever *he may have been* placed, let him fully 'discharge his duty, though he bear not the visible 'marks of his order: the visible mark, *or mere name*, 'of his order, is by no means an effective discharge 'of his duty;

67. 'As, although the fruit of the tree *cataca* pu-'rify water, yet a man cannot purify water by merely 'pronouncing the name of that fruit: *he must throw 'it, when pounded, into the jar.*

68. 'For the sake of preserving minute animals by 'night and by day, let him walk, though with pain 'to his own body, perpetually looking on the ground.

69. 'Let a *Sannyásí*, by way of expiation for *the 'death of* those creatures, which he may have de-'stroyed unknowingly by day or by night, make six 'suppressions of his breath, having duly bathed:

70 'Even

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70. 'Even three suppressions of breath, made according to the divine rule, accompanied with the 'triverbal phrase (*bhur bhuvah swah*) and the triliteral 'syllable (*óm*), may be considered as the highest devotion of a *Bráhmen;*

71. 'For as the dross and impurities of metallick 'ores are consumed by fire, thus are the sinful acts 'of the human organs consumed by suppressions of 'the breath, *while the mystick words, and the measures of the* gáyatrì *are revolved in the mind.*

72. 'Let him thus, by such suppressions of breath, 'burn away his offences; by reflecting intensely on 'the steps of ascent to beatitude, *let him destroy sin;* by coercing his members, let him restrain all 'sensual attachments; by meditating on *the intimate union of his own soul and* the divine essence, let 'him extinguish all qualities repugnant to the nature of God.

73. 'Let him observe, with extreme application of 'mind, the progress of this internal spirit through 'various bodies, high and low; *a progress* hard to 'be discerned by men with unimproved intellects.

74. 'He, who fully understands the perpetual omnipresence of God, can be led no more captive by 'criminal acts; but he, who possesses not that sublime knowledge, shall wander again through the 'world.

75. 'By injuring nothing animated, by subduing all 'sensual

'sensual habits, by devout rites ordained in the *Véda*, 'and by rigorous mortifications, men obtain, even in 'this life, the state of beatitude. CHAP. VI.

76. 'A mansion with bones for its rafters and 'beams; with nerves and tendons, for cords; with 'muscles and blood, for mortar; with skin, for its 'outward covering; filled with no sweet perfume, 'but loaded with feces and urine;

77. 'A mansion infested by age and by sorrow, 'the seat of malady, harassed with pains, haunted 'with the quality of darkness, and incapable of stand-'ing long; such a mansion of the vital soul let its 'occupier always cheerfully quit:

78. 'As a tree leaves the bank of a river, *when it 'falls in*, or as a bird leaves the branch of a tree *at 'his pleasure*, thus he, who leaves his body *by neces-'sity or by legal choice*, is delivered from the raven-'ing shark, *or crocodile*, of the world.

79. 'Letting his good acts descend (by the law of 'the *Véda*,) to those, who love him, and his evil 'deeds, to those, who hate him, he may attain, 'through devout meditation, the eternal spirit.

80. 'When, having well considered the nature and 'consequence of sin, he becomes averse from all sen-'sual delights, he then attains bliss in this world; 'bliss, which shall endure after death.

81. 'Thus having gradually abandoned all earthly 'attachments, and indifferent to all pairs of opposite

'things

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'things, *as honour and dishonour, and the like,* he
'remains absorbed in the divine essence.

82. 'All, that has now been declared, is obtained 'by pious meditation; but no man, who is ignorant 'of the Supreme Spirit, can gather the fruit of mere 'ceremonial acts.

83. 'Let him constantly study that part of the '*Véda*, which relates to sacrifice; that, which treats 'of subordinate deities; that, which reveals the na-'ture of the Supreme God; and whatever is declared 'in the *Upanishads*.

84. 'This holy scripture is a sure refuge even for 'those, who understand not its meaning, and of 'course for those, who understand it; this *Véda* is a 'sure resource for those, who seek bliss above; this '*is a sure resource* for those, who seek bliss eternal.

85. 'That *Bráhmen*, who becomes a *Sannyásí* by this 'discipline, *announced* in due order, shakes off sin 'here below, and reaches the Most High.

86. 'This *general* law has been revealed to you 'for anchorites with subdued minds: now learn the 'particular discipline of those who become recluses 'according to the *Véda*, that is, *of anchorites in the* '*first of the four degrees.*

87. 'The student, the married man, the hermit, 'and the anchorite, are the offspring, though in four 'orders, of married men keeping house;

88. 'And all, or even any, of those orders, assumed 'in

'in their turn, according to the sacred ordinances, 'lead the *Bráhmen*, who acts by the preceding rules, 'to the highest mansion:

89. 'But of all those, the house-keeper, observing 'the regulations of the *Sruti* and *Smrĭti*, may be 'called the chief; since he supports the three *other* '*orders*.

90. 'As all rivers, female and male, run to their 'determined place in the sea, thus men of all *other* 'orders, repair to their fixed place in the mansion of 'the house-keeper.

91. 'By *Bráhmens*, placed in these four orders, a 'ten-fold system of duties must ever be sedulously 'practised:

92. 'Content, returning good for evil, resistance to 'sensual appetites, abstinence from illicit gain, puri'fication, coercion of the organs, knowledge of scrip'ture, knowledge of the Supreme Spirit, veracity, 'and freedom from wrath, form their tenfold system 'of duties.

93. 'Such *Bráhmens*, as attentively read the ten 'precepts of duty, and after reading, carefully prac'tise them, attain the most exalted condition.

94. 'A *Bráhmen* having practised, with organs under 'command, this ten-fold system of duty, having heard 'the *Upanishads* explained, as the law directs, and 'who has discharged his three debts, may become an

 'anchorite,

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'anchorite, *in the house of his son*, according to the 'Véda;

95. 'And, having abandoned all ceremonial acts, 'having expiated all his offences, having obtained a 'command over his organs, and having perfectly 'understood the scripture, he may live at his ease, 'while the household affairs are conducted by his 'son.

96. 'When he thus has relinquished all forms, is 'intent on his own occupation, and free from every 'other desire, when, by devoting himself to God, he 'has effaced sin, he then attains the supreme path of 'glory.

97. 'This four-fold regulation for the sacerdotal 'class, has thus been made known to you; a just 'regulation, producing endless fruit after death: next, 'learn the duty of kings, *or the military class*.

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On Government, and Publick Law; or on the Military Class.

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1. ‘ I WILL fully declare the duty of kings; *and show* ‘ how a ruler of men should conduct himself, in what ‘ manner he was framed, and how his ultimate re-‘ ward *may be attained by him.*

2. ‘ By a man of the military class, who has received ‘ in due form the investiture which the *Véda* prescribes, ‘ great care must be used to maintain the whole *assem-‘ blage of laws.*

3. ‘ Since, if the world had no king, it would quake ‘ on all sides through fear, the ruler of this *universe*, ‘ therefore, created a king, for the maintenance of this ‘ system, both religious and civil,

4. ‘ Forming him of eternal particles drawn from the ‘ substance of INDRA, PAVANA, YAMA, SU'RYA, of AGNI ‘ and VARUNA, of CHANDRA and CUVE'RA:

5. ‘ And since a king was composed of particles drawn ‘ from those chief guardian deities, he consequently sur-‘ passes all mortals in glory.

6. ‘ Like the sun, he burns eyes and hearts; nor ‘ can any human creature on earth even gaze on him.

7. ‘ He *is* fire and air; he, both sun and moon; he, ‘ the god of criminal justice; he, the genius of wealth;

 ‘ he,

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' he, the regent of waters; he, the lord of the firma-' ment.

8. ' A king, even though a child, must not be treated ' lightly, from an idea that he is a mere mortal: no; ' he is a powerful divinity, who appears in a human ' shape.

9. ' Fire burns only one person, who carelessly goes ' too near it; but the fire of a king in wrath burns ' a whole family, with all their cattle and goods.

10. ' Fully considering the business before him, his ' own force, and the place, and the time, he assumes ' in succession all sorts of forms, for the sake of ' advancing justice.

11. ' He, sure, must be the perfect essence of ma-' jesty, by whose favour Abundance rises on her lotos, ' in whose valour dwells conquest; in whose anger, ' death.

12. ' He, who shews hatred of the king, through ' delusion of mind, will certainly perish; for speedily ' will the king apply his heart to that man's perdi-' tion.

13. ' Let the king prepare a just compensation for ' the good, and a just punishment for the bad: the ' rule of strict justice let him never transgress.

14. ' For his use Brahma' formed in the beginning of ' time the genius of punishment, with a body of pure ' light, his own son, even abstract criminal justice, the ' protector of all created things:

15. ' Through

15. 'Through fear of that genius, all sentient beings, 'whether fixed or locomotive, are fitted for natural 'enjoyments and swerve not from duty.

16. 'When the king, therefore, has fully considered 'place and time, and his own strength, and the divine 'ordinance, let him justly inflict punishment on all those, 'who act unjustly.

17. 'Punishment is an active ruler; he is the true 'manager of publick affairs; he is the dispenser of 'laws; and wise men call him the sponsor of all 'the four orders for the discharge of their several 'duties.

18. 'Punishment governs all mankind; punishment 'alone preserves them; punishment wakes, while their 'guards are asleep; the wise consider punishment as 'the perfection of justice.

19. 'When rightly and considerately inflicted, it 'makes all the people happy; but, inflicted without 'full consideration, it wholly destroys them all.

20. 'If the king were not, without indolence, to 'punish the guilty, the stronger would roast the weaker, 'like fish, on a spit; (*or, according to one reading*, the 'stronger would oppress the weaker, like fish in their 'element;)

21. 'The crow would peck the consecrated offering 'of rice; the dog would lick the clarified butter; owner-'ship would remain with none; the lowest would 'overset the highest.

22. 'The

22. 'The whole race of men is kept in order by 'punishment; for a guiltless man is hard to be found: 'through fear of punishment, indeed, this universe is 'enabled to enjoy its blessings;

23. 'Deities and demons, heavenly songsters and 'cruel giants, birds and serpents, are made capable, 'by just correction, of their several enjoyments.

24. 'All classes would become corrupt; all barriers 'would be destroyed, there would be total confusion 'among men, if punishment either were not inflicted, 'or were inflicted unduly:

25. 'But where punishment, with a black hue and 'a red eye, advances to destroy sin, there, if the judge 'discern well, the people are undisturbed.

26. 'Holy sages consider as a fit dispenser of cri-'minal justice, that king, who invariably speaks truth, 'who duly considers all cases, who understands the 'sacred books, who knows the distinctions of virtue, 'pleasure, and riches;

27. 'Such a king, if he justly inflict legal punish-'ments, greatly increases those three means of happi-'ness; but punishment itself shall destroy a king, 'who is crafty, voluptuous, and wrathful:

28. 'Criminal justice, the bright essence of majesty, 'and hard to be supported by men with unimproved 'minds, eradicates a king, who swerves from his 'duty, together with all his race:

29. 'Punishment shall overtake his castles, his ter-

'ritories,

'ritories, his peopled land, with all fixed and moveable things, that exist on it: even the gods and the 'sages, *who lose their oblations*, will be afflicted and 'ascend to the sky.

30. 'Just punishment cannot be inflicted by an ignorant and covetous king, who has no wise and 'virtuous assistant, whose understanding has not been 'improved, and whose heart is addicted to sensuality:

31. 'By a king, wholly pure, faithful to his promise, 'observant of the scriptures, with good assistants and 'sound understanding, may punishment be justly inflicted.

32. 'Let him in his own domains act with justice, 'chastise foreign foes with rigour, behave without 'duplicity to his affectionate friends, and with lenity 'to *Bráhmens*.

33. 'Of a king thus disposed, even though he subsist by gleaning, *or, be his treasure ever so small*, the 'fame is far spread in the world, like a drop of 'oil in water;

34. 'But of a king with a contrary disposition, 'with passions unsubdued, *be his riches ever so great*, 'the fame is contracted in the world, like clarified 'butter in the same element.

35. 'A king was created as the protector of all 'those classes and orders, who, from thefirst to the 'last, discharge their several duties;

36. '*And*

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36. '*And* all, that must be done by him, for the 'protection of his people, with the assistance of good 'ministers, I will declare to you, as the law directs, 'in due order.

37. 'Let the king, having risen at early dawn, 'respectfully attend to *Bráhmens*, learned in the three '*Védas*, and in the science of ethicks; and by their 'decision let him abide.

38. 'Constantly must he show respect to *Bráh*'*mens*, who have grown old, *both in years and in* '*piety*, who know the scriptures, who *in body and* '*mind* are pure; for he, who honours the aged, will 'perpetually be honoured even by cruel demons:

39. 'From them, though he may have acquired 'modest behaviour *by his own good sense and by study*, 'let him continually learn habits of modesty and com'posure; since a king, whose demeanour is humble 'and composed, never perishes.

40. 'While, through want of such humble virtue, 'many kings have perished with all their possessions; 'and, through virtue united with modesty, even her'mits have obtained kingdoms.

41. 'Through want of that virtuous humility Ve'na 'was utterly ruined, and so was the great king Na'husha, and Suda'sa, and Yavana, *(or, by a different* '*reading*, and Suda'man, the son of Piyavana) and 'Sumac'ha, and Nimi;

42. 'But, by virtues with humble behaviour, Prit'hu 'and

'and MENU acquired sovereignty; CUVE'RA, wealth inexhaustible; and VISWA'MITRA, son of GA'DHI, the rank of a priest, *though born in the military class.*

43. 'From those, who know the three *Védas*, let him learn the triple doctrine comprised in them, together with the primeval science of criminal justice and sound policy, the system of logick and metaphysicks, and sublime theological truth: from the people he must learn the theory of *agriculture, commerce, and other* practical arts.

44. 'Day and night must he strenuously exert himself to gain complete victory over his own organs; since that king alone, whose organs are completely subdued, can keep his people firm to their duty.

45. 'With extreme care let him shun eighteen vices, ten proceeding from love of pleasure, eight springing from wrath, and all ending in misery;

46. 'Since a king, addicted to vices arising from love of pleasure, must lose both his wealth and his virtue, and, addicted to vices arising from anger, he may lose even his life *from the publick resentment.*

47. 'Hunting, gaming, sleeping by day, censuring rivals, excess with women, intoxication, singing, instrumental musick, dancing, and useless travel, are the ten-fold set of vices produced by love of pleasure:

 48. 'Tale-

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48. 'Talebearing, violence, insidious wounding, envy, 'detraction, unjust seizure of property, reviling, and 'open assault are in like manner the eight-fold set 'of vices, to which anger gives birth.

49. 'A selfish inclination, which all wise men know 'to be the root of those two sets, let him suppress 'with diligence: both sets of vices are constantly 'produced by it.

50. 'Drinking, dice, women, and hunting, let him 'consider as the four most pernicious in the set, 'which love of pleasure occasions:

51. 'Battery, defamation, and injury to property, 'let him always consider as the three most heinous in 'the set, which arises from wrath;

52. '*And* in this seven-fold assemblage of vices, 'too frequently prevailing in all kingdoms, let an 'enlightened prince consider the first, and so forth in 'order, as the most abominable in each set.

53. 'On a comparison between death and vice, the 'learned pronounce vice the more dreadful; since, 'after death, a vicious man sinks to regions lower 'and lower, while a man, free from vice, reaches 'heaven.

54. 'THE king must appoint seven or eight minis- 'ters, who must be sworn *by touching a sacred image 'and the like;* men, whose ancestors were servants 'of kings; who are versed in the holy books; who

'are

'are personally brave; who are skilled in the use of 'weapons; and whose lineage is noble. CHAP. VII.

55. 'Even an act easy in itself is hard sometimes 'to be performed by a single man, especially if he 'have no assistant near: how much harder *must it be* '*to perform alone the business of* a kingdom with great 'revenues!

56. 'Let him perpetually consult with those minis- 'ters on peace and war, on his forces, on his reve- 'nues, on the protection of his people, and on the 'means of bestowing aptly the wealth which he has 'acquired:

57. 'Having ascertained the several opinions of his 'counsellors, *first* apart and *then* collectively, let him 'do what is most beneficial for him in publick affairs.

58. 'To one learned *Bráhmen*, distinguished among 'them all, let the king impart his momentous counsel, 'relating to six *principal* articles.

59. 'To him, with full confidence, let him intrust 'all transactions; and with him, having taken his 'final resolution, let him begin all his measures.

60. 'He must likewise appoint other officers; men 'of integrity, well informed, steady, habituated to gain 'wealth, by honourable means, and tried by expe- 'rience.

61. 'As many officers as the due performance of 'his business requires, not slothful men, *but active,*

CHAP. VII. 'able, and well instructed, so many, and no more, 'let him appoint.

62. 'Among those let him employ the brave, the 'skilful, the well-born, and the honest, in his mines '*of gold or gems*, and in other similar works *for* '*amassing wealth;* but the pusillanimous, in the re-'cesses of his palace.

63. 'Let him likewise appoint an ambassador versed 'in all the *Sástras*, who understands hints, external 'signs, and actions, *whose hand and heart are* pure, 'whose abilities are great, and whose birth was il-'lustrious:

64. 'That royal ambassador is applauded most, who 'is generally beloved, pure within and without, dex-'terous in business, and endued with an excellent 'memory; who knows countries and times, is hand-'some, intrepid, and eloquent.

65. 'The forces of the realm must be immediately 'regulated by the commander in chief; the actual 'infliction of punishment, by the officers of criminal 'justice; the treasury and the country, by the king 'himself; peace and war, by the ambassador;

66. 'For it is the ambassador alone who unites, 'who alone disjoins the united; that is, he transacts 'the business, by which kingdoms are at variance 'or in amity.

67. 'In the transaction of affairs let the ambassador 'comprehend the visible signs and hints, and discover 'the

‘ the acts, of the foreign king, by the signs, hints, ‘ and acts of his confidential servants, and the mea- ‘ sures, which that king wishes to take, by *the character* ‘ *and conduct of* his ministers.

68. ‘ Thus, having learned completely *from his am-* ‘ *bassador* all the designs of the foreign prince, let ‘ the king so apply his vigilant care, that he bring ‘ no evil on himself.

69. ‘ Let him fix his abode in a district containing ‘ open champaigns; abounding with grain; inhabited ‘ chiefly by the virtuous; not infected with maladies; ‘ beautiful to the sight; surrounded by submissive ‘ *mountaineers, foresters, or other* neighbours; a coun- ‘ try, in which the subjects may live at ease.

70. ‘ There let him reside in a capital, having, by ‘ way of a fortress, a desert *rather more than twenty* ‘ *miles round it,* or a fortress of earth, a fortress of ‘ water, or of trees, a fortress of armed men, or a ‘ fortress of mountains.

71. ‘ With all possible care let him secure a fortress ‘ of mountains; for, among those just mentioned, a ‘ fortress of mountains has many transcendent pro- ‘ perties.

72. ‘ In the three first of them live wild beasts, ‘ vermin, and aquatick animals; in the three last, ‘ apes, men, and gods, in order as they are named:

73. ‘ As enemies hurt them not in the shelter of ‘ their several abodes, thus foes hurt not a king, who ‘ has

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'has taken refuge in his *durga*, or *place of difficult* '*access*.

74. 'One bowman, placed on a wall, is a match 'in war for a hundred enemies; and a hundred, for 'ten thousand; therefore is a fort recommended.

75. 'Let that fort be supplied with weapons, with 'money, with grain, with beasts, with *Bráhmens*, with 'artificers, with engines, with grass, and with water.

76. 'In the centre of it let him raise his own 'palace, well finished in all its parts, completely de-'fended, habitable in every season, brilliant *with white* '*stucco*, surrounded with water and trees:

77. 'Having prepared it for his mansion, let him 'chuse a consort of the same class with himself, en-'dued with all the bodily marks of excellence, born 'of an exalted race, captivating his heart, adorned 'with beauty and the best qualities.

78. 'He must appoint also a domestick priest, and 'retain a performer of sacrifices, who may solemnize 'the religious rites of his family, and those performed 'with three sacred fires.

79. 'Let the king make sacrifices, accompanied with 'gifts of many different kinds; and, for the full dis-'charge of his duty, let him give the *Bráhmens* both '*legal* enjoyments and *moderate* wealth.

80. 'His annual revenue he may receive from his 'whole dominion through his collectors; but let him

'in

'in this world observe the divine ordinances; let him 'act as a father to his people. CHAP. VII.

81. 'Here and there he must appoint many sorts 'of intelligent supervisors, who may inspect all the 'acts of the officers engaged in his business.

82. 'To *Bráhmens* returned from the mansions of 'their preceptors, let him show due respect; for that 'is called a precious unperishable gem, deposited by 'kings with the sacerdotal class:

83. 'It is a gem, which neither thieves or foes take 'away; which never perishes: kings must, therefore, 'deposit with *Bráhmens* that indestructible jewel *of* '*respectful presents.*

84. 'An oblation in the mouth, *or hand,* of a *Bráh*'*men,* is far better than offerings to holy fire: it 'never drops; it never dries; it is never consumed.

85. 'A gift, to one not a *Bráhmen,* produces fruit 'of a middle standard; to one who calls himself a '*Bráhmen,* double; to a well-read *Bráhmen,* a hun'dred thousand-fold; to one who has read all the '*Védas,* infinite.

86. 'Of a gift made with faith in the *Sástra,* to a 'person highly deserving it, the giver shall indubitably 'gain the fruit after death, be the present small or 'great.

87. 'A KING, while he protects his people, being 'defied by an enemy of equal, greater, or less force,

'must

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'must by no means turn his face from battle, but 'must remember the duty of his military class:

88. 'Never to recede from combat, to protect the 'people, and to honour the priests, is the highest duty 'of kings and ensures their felicity.

89. 'Those rulers of the earth, who, desirous of 'defeating each other, exert their utmost strength in 'battle, without ever averting their faces, ascend after 'death directly to heaven.

90. 'Let no man, engaged in combat, smite his 'foe with *sharp* weapons concealed *in wood,* nor with 'arrows mischievously barbed, nor with poisoned ar-'rows, nor with darts blazing with fire;

91. 'Nor let him *in a car or on horseback* strike his 'enemy alighted on the ground; nor an effeminate 'man; nor one, *who sues for life* with closed palms; 'nor one, whose hair is loose *and obstructs his sight;* 'nor one, who sits down *fatigued;* nor one, who says, '"I am thy *captive;*"

92. 'Nor one, who sleeps; nor one, who has lost 'his coat of mail; nor one, who is naked; nor one, who 'is disarmed; nor one, who is a spectator, but not 'a combatant; nor one, who is fighting with another 'man:

93. 'Calling to mind the duty of honourable men, 'let him never slay one, who has broken his weapon; 'nor one, who is afflicted *with private sorrow;* nor 'one,

'one, who has been grievously wounded; nor one, 'who is terrified; nor one, who turns his back. CHAP. VII.

94. 'The soldier, indeed, who, fearing and turning 'his back, happens to be slain by his foes in an 'engagement, shall take upon himself all the sin of 'his commander, whatever it be;

95. 'And the commander shall take to himself *the 'fruit of* all the good conduct, which the soldier, 'who turns his back and is killed, had previously 'stored up for a future life.

96. 'CARS, horses, elephants, umbrellas, habiliments, '*except the jewels which may adorn them*, grain, cattle, 'women, all sorts of liquids and metals, except gold 'and silver, are the lawful prizes of the man who 'takes them in war;

97. 'But of those prizes, the captors must lay the 'most valuable before the king; such is the rule in 'the *Véda* concerning them; and the king should dis'tribute among the whole army what has not been 'separately taken.

98. 'Thus has been declared the blameless primeval 'law for military men; from this law a king must 'never depart, when he attacks his foes in battle.

99. 'What he has not gained *from his foe*, let him 'strive to gain; what he has acquired, let him pre'serve with care; what he preserves, let him augment; 'and what he has augmented, let him bestow on 'the deserving.

 100. 'This

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100. 'This is the four-fold rule, which he must consider as the sure means of attaining the great object of man, *happiness;* and let him practise it fully without intermission, without indolence:

101. 'What he has not gained, let him strive to gain by military strength; what he has acquired, let him preserve by careful inspection; what he has preserved, let him augment by legal modes of increase; and what he has augmented, let him dispense with just liberality.

102. 'Let his troops be constantly exercised; his prowess, constantly displayed; what he ought to secure, constantly secured; and the weakness of his foe, constantly investigated.

103. 'By a king, whose forces are always ready for action, the whole world may be kept in awe; let him then, by a force always ready, make all creatures living his own.

104. 'Let him act on all occasions without guile, and never with insincerity; but, keeping himself ever on his guard, let him discover the fraud intended by his foe.

105. 'Let not his enemy discern his vulnerable part, but the vulnerable part of his enemy let him well discern: like a tortoise, let him draw in his members *under the shell of concealment,* and diligently let him repair any breach that may be made in it.

106. 'Like a heron, let him muse on gaining advantages;

'vantages; like a lion, let him put forth his strength; 'like a wolf, let him creep towards his prey; like a 'hare, let him double to secure his retreat.

107. 'When he thus has prepared himself for con-'quest, let him reduce all opposers to submission by 'negotiation and three other expedients, *namely, pre-'sents, division, and force of arms:*

108. 'If they cannot be restrained by the three first 'methods, then let him, firmly but gradually, bring 'them to subjection by military force.

109. 'Among those four modes of obtaining success, 'the wise prefer negotiation and war for the exalta-'tion of kingdoms.

110. 'As a husbandman plucks up weeds and pre-'serves his corn, thus let a king destroy his opponents 'and secure his people.

111. 'That king, who, through weakness of intellect, 'rashly oppresses his people, will, together with his 'family, be deprived both of kingdom and life:

112. 'As, by the loss of bodily sustenance, the lives 'of animated beings are destroyed, thus, by the dis-'tress of kingdoms, are destroyed even the lives of 'kings.

113. 'For the sake of protecting his dominions, let 'the king perpetually observe the following rules; for, 'by protecting his dominions, he will increase his 'own happiness.

 114. 'Let

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114. 'Let him place, as the protectors of his realm, 'a company of guards, commanded by an approved 'officer, over two, three, five, or a hundred districts, '*according to their extent.*

115. 'Let him appoint a lord of one town with 'its district, a lord of ten towns, a lord of twenty, 'a lord of a hundred, and a lord of a thousand.

116. 'Let the lord of one town certify of his own 'accord to the lord of ten towns any *robberies, tu-'mults, or other* evils, which arise in his district, *and 'which he cannot suppress;* and the lord of ten, to the 'lord of twenty:

117. 'Then let the lord of twenty towns notify 'them to the lord of a hundred; and let the lord of 'a hundred transmit the information himself to the 'lord of a thousand townships.

118. 'Such food, drink, wood, and other articles, 'as by law should be given each day to the king 'by the inhabitants of the township, let the lord of 'one town receive *as his perquisite:*

119. 'Let the lord of ten towns enjoy the produce 'of two plough-lands, *or as much ground as can be 'tilled with two ploughs, each drawn by six bulls;* the 'lord of twenty, that of ten* plough-lands; the lord 'of a hundred, that of a village or small town; the 'lord of a thousand, that of a large town.

120. 'The affairs of those *townships,* either jointly 'or

* See Note on Book VII. verse 119.

'or separately transacted, let another minister of the 'king inspect; who should be well affected, and by 'no means remiss.

121. 'In every large town or city, let him appoint 'one superintendent of all affairs, elevated in rank, 'formidable in power, distinguished as a planet among 'stars:

122. 'Let that governor from time to time survey 'all the rest in person, and, by means of his emis-'saries, let him perfectly know their conduct in their 'several districts.

123. 'Since the servants of the king, whom he 'has appointed guardians of districts, are generally 'knaves, who seize what belongs to other men, from 'such knaves let him defend his people:

124. 'Of such evil-minded servants, as wring wealth 'from subjects attending them on business, let the 'king confiscate all the possessions, and banish them 'from his realm.

125. 'For women, employed in the service of the 'king, and for his whole set of menial servants, let 'him daily provide a maintenance, in proportion to 'their station and to their work:

126. 'One *pana* of copper must be given *each day* 'as wages to the lowest servant, with two cloths *for* '*apparel* every half-year, and a *dróna* of grain every 'month; to the highest *must be given wages in the* '*ratio of* six *to one*.

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127. 'Having ascertained the rates of purchase and 'sale, *the length of* the way, the expences of food 'and of condiments, the charges of securing the goods 'carried, and the neat profits of trade, let the king 'oblige traders to pay taxes *on their saleable com-'modities:*

128. 'After full consideration, let a king so levy 'those taxes continually in his dominions, that both 'he and the merchant may receive a just compensa-'tion for their several acts.

129. 'As the leech, the suckling calf, and the bee, 'take their natural food by little and little, thus must 'a king draw from his dominions an annual revenue.

130. 'Of cattle, of gems, of gold and silver, *added 'each year to the capital stock*, a fiftieth part may be 'taken by the king; of grain, an eighth part, a sixth, 'or a twelfth, *according to the difference of the soil, 'and the labour necessary to cultivate it.*

131. 'He may also take a sixth part of the clear 'annual increase of trees, flesh-meat, honey, clarified 'butter, perfumes, medical substances, liquids, flowers, 'roots, and fruit,

132. 'Of gathered leaves, potherbs, grass, utensils 'made with leather or cane, earthen pots, and all 'things made of stone.

133. 'A king, even though dying *with want*, must 'not receive any tax from a *Bráhmen* learned in the

'*Védas,*

‘ *Védas*, nor suffer such a *Bráhmen*, residing in his ‘ territories, to be afflicted with hunger. CHAP. VII.

134. ‘ Of that king, in whose dominion a learned ‘ *Bráhmen* is afflicted with hunger, the whole kingdom ‘ will in a short time be afflicted with famine.

135. ‘ The king, having ascertained his knowledge ‘ of scripture and good morals, must allot him a suit- ‘ able maintenance, and protect him on all sides, as ‘ a father protects his own son:

136. ‘ By that religious duty, which such a *Bráh-* ‘ *men* performs each day, under the full protection of ‘ the sovereign, the life, wealth, and dominions of ‘ his protector shall be greatly increased.

137. ‘ Let the king order a mere trifle to be paid, ‘ in the name of the annual tax, by the meaner in- ‘ habitants of his realm, who subsist by petty traf- ‘ fick:

138. ‘ By low handicraftsmen, artificers, and servile ‘ men, who support themselves by labour, the king ‘ may cause work to be done for a day in each ‘ month.

139. ‘ Let him not cut up his own root *by taking* ‘ *no revenue*, nor the root of other men by excess of ‘ covetousness; for, by cutting up his own root *and* ‘ *theirs*, he makes both himself and them wretched.

140. ‘ Let him, considering the *diversity of* cases, ‘ be *occasionally* sharp and *occasionally* mild, since a

‘ king

CHAP. VII. 'king, duly sharp and mild, becomes universally ap-'proved.

141. 'When tired of overlooking the affairs of men, 'let him assign the station *of such an inspector* to a 'principal minister, who well knows his duty, who is 'eminently learned, whose passions are subdued, and 'whose birth is exalted.

142. 'Thus must he protect his people, discharging, 'with great exertion and without languor, all those 'duties, which the law requires him to perform.

143. 'That monarch, whose subjects are carried from 'his kingdom by ruffians, while they call aloud for 'protection, and he barely looks on them with his 'ministers, is a dead, and not a living king.

144. 'The highest duty of a military man is the 'defence of his people, and the king who receives 'the consideration just mentioned, is bound to dis-'charge that duty.

145. 'Having risen in the last watch of the night, 'his body being pure, and his mind attentive, having 'made oblations to fire, and shown due respect to 'the priests, let him enter his hall *decently* splendid:

146. 'Standing there, let him gratify his subjects, 'before he dismiss them, *with kind looks and words;* 'and, having dismissed them all, let him take secret 'council with his principal ministers:

147. 'Ascending up the back of a mountain, or 'going

'going privately to a terrace, a bower, a forest, or 'a lonely place, without listeners, let him consult 'with them unobserved. CHAP. VII.

148. 'That prince, of whose weighty secrets all as'semblies of men are ignorant, shall attain dominion 'over the whole earth, though *at first* he possess no 'treasure.

149. 'At the time of consultation, let him remove 'the stupid, the dumb, the blind, and the deaf, talk'ing birds, decrepit old men, women, and infidels, the 'diseased and the maimed;

150. 'Since those, who are disgraced *in this life* '*by reason of sins formerly committed*, are apt to be'tray secret council; so are talking birds; and so 'above all are women: them he must, for that reason, 'diligently remove.

151. 'At noon or at midnight, when his fatigues 'have ceased, and his cares are dispersed, let him 'deliberate, with those ministers or alone, on virtue, 'lawful pleasure, and wealth;

152. 'On the means of reconciling the acquisition 'of them, when they oppose each other; on bestow'ing his daughters in marriage, and on preserving his 'sons *from evil by the best education;*

153. 'On sending ambassadors and messengers; on 'the probable events of his measures; on the beha'viour *of his women* in the private apartment; and 'on the acts even of his own emissaries.

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154. 'On the whole eight-fold business of kings, *relating to the revenue, to their expences, to the good or bad conduct of their ministers, to legislation in dubious cases, to civil and criminal justice, and to expiations for crimes,* let him reflect with the greatest attention; on his five sorts of spies, *or active and artful youths, degraded anchorets, distressed husbandmen, decayed merchants, and fictitious penitents, whom he must pay and see privately;* on the good will or enmity of his neighbours, and on the state of the circumjacent countries.

155. 'On the conduct of that foreign prince, who has moderate strength *equal to one ordinary foe, but no match for two;* on the designs of him, who is willing and able to be a conqueror; on the condition of him, who is pacifick, *but a match even for the former unallied;* and on that of his *natural* enemy, let him sedulously meditate:

156. 'Those *four powers,* who, in one word, are the root or *principal strength* of the countries round him, added to eight others, *who are called the* branches, *and are as many degrees of allies and opponents variously distinguished,* are declared to be twelve chief objects *of the royal consideration;*

157. 'And five other heads, namely, their ministers, their territories, their strong holds, their treasuries, and their armies, being applied to each *of those twelve,* there are in all, *together with them,* seventy-two *foreign* objects *to be carefully investigated.*

158. 'Let

158. 'Let the king consider as hostile to him, the 'power immediately beyond him, and the favourer of 'that power; as amicable, the power next beyond his '*natural* foe; and as neutral, the powers beyond that '*circle:*

159. 'All those *powers* let him render subservient 'to his interest by mild measures and the other '*three* expedients *before mentioned,* either separate or 'united, but principally by valour and policy *in arms* '*and negotiation.*

160. 'Let him constantly deliberate on the six 'measures of a military prince, *namely,* waging war, 'and making peace or alliance, marching to battle, 'and sitting encamped, distributing his forces, and 'seeking the protection of a more powerful monarch:

161. 'Having considered the posture of affairs, let 'him occasionally apply to it the measure of sitting 'inactive, or of marching to action, of peace, or of 'war, of dividing his force, or of seeking protection.

162. 'A king must know, that there are two sorts 'of alliance and war; two, of remaining encamped, 'and of marching; *two, likewise, of dividing his army,* 'and two of obtaining protection from another power.

163. 'The two sorts of alliance, attended with pre-'sent and future advantages, are held to be those, 'when he acts in conjunction with his ally, and when 'he acts apart from him.

164. 'War is declared to be of two sorts; when

CHAP. VII. 'it is waged for an injury to himself, and when it 'is waged for an injury to his ally, with a view to 'harass the enemy both in season and out of season.

165. 'Marching is of two sorts, when destructive 'acts are done at his own pleasure by himself apart, 'or when his ally attends him.

166. 'The two sorts of sitting encamped are, *first*, 'when he has been gradually weakened by the Di-'vine Power, or by the operation of past sins, and, '*secondly*, when, to favour his ally, he remains in his 'camp.

167. 'A detachment commanded by the king in 'person, and a detachment commanded by a general 'officer, for the purpose of carrying some important 'point, are declared by those, who well know the 'six measures, to be the two modes of dividing his 'army.

168. 'The two modes of seeking protection, that 'his powerful support may be proclaimed in all coun-'tries, are, *first*, when he wishes to be secure from 'apprehended injury, and, *next*, when his enemies 'actually assail him.

169. 'When the king knows with certainty, that at 'some future time his force will be greatly augmented, 'and when, at the time present, he sustains little 'injury, let him then have recourse to peaceful mea-'sures;

170. 'But, when he sees all his subjects consider-

'ably

'ably firm in strength, and feels himself highly exalted in power, let him protect his dominions by 'war.

171. 'When he perfectly knows his own troops to 'be cheerful and well supplied, and those of his 'enemy quite the reverse, let him eagerly march 'against his foes;

172. 'But, when he finds himself weak in beasts of 'burden and in troops, let him then sit quiet in 'camp, using great attention, and pacifying his enemy 'by degrees.

173. 'When a king sees his foes stronger in all 'respects than himself, let him detach a part of his 'army, *to keep the enemy amused*, and secure his own 'safety *in an inaccessible place;*

174. 'But, when he is in all places assailable by 'the hostile troops, let him speedily seek the protec-'tion of a just and powerful monarch.

175. 'Him, who can keep in subjection both his 'own subjects and his foes, let him constantly sooth 'by all sorts of attentive respect, as he would honour 'his father, *natural or spiritual:*

176. 'But if, even in that situation, he find such 'protection a cause of evil, let him alone, though 'weak, wage vigorous war without fear.

177. 'By all these expedients let a politick prince 'act with such wisdom, that neither allies, neutral

'powers,

CHAP. VII. ‘ powers, nor foes, may gain over him any great ad‘ vantage.

178. ‘ Perfectly let him consider the state of his ‘ kingdom, both *actually* present and *probably* future, ‘ with the good and bad parts of all his actions:

179. ‘ That king shall never be overcome by his ‘ enemies, who foresees the good and evil to ensue ‘ from his measures; who, on present occasions, takes his, resolution with prudent speed, and who weighs ‘ the various events of his past conduct.

180. ‘ Let him so arrange all his affairs, that no ‘ ally, neutral prince, or enemy, may obtain any ad‘ vantage over him: this, in a few words, is the sum ‘ of political wisdom.

181. ‘ When the king begins his march against the ‘ domains of his foe, let him gradually advance, in ‘ the following manner, against the hostile metro‘ polis.

182. ‘ Let him set out on his expedition in the fine ‘ month *Márgasírsha*, or about the month of *Phál‘ guna* and *Chaitra*, according to *the number of* his ‘ forces, *that he may find autumnal or vernal crops in ‘ the country invaded by him:*

183. ‘ Even in other seasons, when he has a clear ‘ prospect of victory, and when any disaster has be‘ fallen his foe, let him advance *with the greater part ‘ of his army*.

184. ‘ Having

184. ‘ Having made a due arrangement of affairs in ‘ his own dominions, and a disposition fit for his en- ‘ terprize, having provided all things necessary for ‘ his continuance in the foreign realm, and having ‘ seen all his spies dispatched with propriety,

185. ‘ Having secured the three sorts of ways, *over* ‘ *water, on plains, and through forests,* and placed his ‘ six-fold army, *elephants, cavalry, cars, infantry, offi-* ‘ *cers,* and *attendants,* in complete military form, let ‘ him proceed by fit journeys toward the metropolis ‘ of his enemy:

186. ‘ Let him be much on his guard against every ‘ secret friend in the service of the hostile prince, and ‘ against emissaries, who go and return; for in such ‘ friends he may find very dangerous foes.

187. ‘ On his march let him form his troops, either ‘ like a staff, *or in an even column;* like a wain, *or* ‘ *in a wedge with the apex foremost;* like a boar, *or* ‘ *in a rhomb with the van and rear narrow and the* ‘ *centre broad;* like a *Macara* or *sea-monster, that is,* ‘ *in a double triangle with apices joined;* like a needle, ‘ *or in a long line;* or like the bird of VISHNU, *that* ‘ *is, in a rhomboid with the wings far extended:*

188. ‘ From whatever side he apprehends danger, ‘ to that side let him extend his troops; and let him ‘ always conceal himself in the midst of a squadron ‘ formed like a lotos-flower.

189. ‘ Let him cause his generals and the chief com- ‘ mander

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'mander *under himself*, to act in all quarters; and 'from whatever side he perceives a design of attacking him, to that side let him turn his front.

190. 'On all sides let him station troops of soldiers, 'in whom he confides, distinguished by known *colours* '*and other* marks; who are excellent both in sustaining a charge and in charging, who are fearless and 'incapable of desertion.

191. 'Let him at his pleasure order a few men to 'engage in a close phalanx, or a large number of 'warriours in loose ranks; and, having formed them 'in *a long line like* a needle, or in *three divisions* '*like* a thunderbolt, let him give orders for battle.

192. 'On a plain, let him fight with his armed 'cars and horses; on watery places, with manned 'boats and elephants; on ground full of trees and 'shrubs, with bows; on cleared ground, with swords 'and targets, and *other* weapons.

193. 'Men born in *Curucshétra*, near *Indraprest'ha*, 'in *Matsya*, or *Viráta*, in *Panchálu*, or *Cányacubja*, 'and in *Súraséna*, in the district of *Mat'hurà*, let him 'cause to engage in the van; and men, *born in other* '*countries*, who are tall and light.

194. 'Let him, when he has formed his troops in 'array, encourage them *with short animated speeches;* 'and then, let him try them completely: let him know, 'likewise, how his men severally exert themselves, 'while they charge the foe.

195. 'If

195. ‘ If he block up his enemy, let him sit en- CHAP. VII.
‘ camped, and lay waste the hostile country; let him
‘ continually spoil the grass, water, and wood of the
‘ adverse prince.

196. ‘ Pools, wells, and trenches let him destroy. let him harass the foe *by day*, and alarm him by night.

197. ‘ Let him secretly bring over to his party all such *leaders* as he can safely bring over; let him be informed of all that his enemies are doing; and, when a fortunate moment is offered by heaven, let him give battle, pushing on to conquest and abandoning fear:

198. ‘ Yet he should be more sedulous to reduce his enemy by negotiation, by well applied gifts, and by creating divisions, using either all or some of those methods, than by hazarding at any time a decisive action,

199. ‘ Since victory or defeat are not surely foreseen on either side, when two armies engage in the field; let the king then, *if other expedients prevail*, avoid a pitched battle:

200. ‘ But, should there be no means of applying the three *before-mentioned* expedients, let him, after due preparation, fight so valiantly, that his enemy may be totally routed.

201. ‘ Having conquered a country, let him respect the deities *adored in it*, and their virtuous priests;

CHAP. VII. 'let him also distribute largesses *to the people*, and 'cause a full exemption from terrour to be loudly 'proclaimed.

202. 'When he has perfectly ascertained the con-'duct and intentions of all the vanquished, let him 'fix in that country *a prince of* the royal race, and 'give him precise instructions.

203. 'Let him establish the laws *of the conquered* '*nation* as declared *in their books;* and let him gratify 'the new prince with gems *and other precious gifts.*

204. 'The seizure of desirable property, though it 'cause hatred, and the donation of it, though it cause 'love, may be laudable or blameable on different 'occasions:

205. 'All this *conduct of human affairs* is considered 'as dependent on acts ascribed to the deity, and on 'acts ascribed to men; now the operations of the 'deity cannot be known by any intenseness of thought, 'but those of men may be clearly discovered.

206. 'Or the victor, considering an ally, territory, 'and wealth as the triple fruit of conquest, may 'form an alliance with the vanquished prince, and 'proceed in union with him, using diligent circum-'spection.

207. 'He should pay due attention to the prince, 'who supported his cause, and to any other prince 'in the circumjacent region, who checked that sup-'porter, so that, both from a well-wisher and from an

'opponent,

'opponent, he may secure the fruit of his expedi-'tion.

208. 'By gaining wealth and territory a king acquires 'not so great an increase of strength, as by obtain-'ing a firm ally, who, though weak, may hereafter 'be powerful.

209. 'That ally, though feeble, is highly estimable, 'who knows the whole extent of his duties, who grate-'fully remembers benefits, whose people are satisfied, '*or, who has a gentle nature,* who loves his friend, 'and perseveres in his good resolutions.

210. 'Him have the sages declared an enemy hard 'to be subdued, who is eminently learned, of a noble 'race, personally brave, dexterous in management, li-'beral, grateful, and firm.

211. 'Good-nature, knowledge of mankind, valour, 'benignity of heart, and incessant liberality, are the 'assemblage of virtues, which adorn a neutral prince, '*whose amity must be courted.*

212. 'Even a salubrious and fertile country, where 'cattle continually increase, let a king abandon with-'out hesitation for the sake of preserving himself:

213. 'Against misfortune, let him preserve his wealth; 'at the expence of his wealth, let him preserve his 'wife; but let him at all events preserve himself, even 'at the hazard of his wife and his riches.

214. 'A wise prince, who finds every sort of cala-

CHAP. VII. ‘ mity rushing violently upon him, should have recourse ‘ to all just expedients, united or separate:

215. ‘ Let him consider the business to be expe- ‘ dited, the expedients collectively, and himself who ‘ must apply them; and, taking refuge completely in ‘ those three, let him strenuously labour for his own ‘ prosperity.

216. ‘ Having consulted with his ministers, in the ‘ manner before prescribed, on all this *mass of publick* ‘ *affairs;* having used exercise *becoming a warriour*, ‘ and having bathed *after it*, let the king enter at ‘ noon his private apartment for the purpose of tak- ‘ ing food.

217. ‘ There let him eat lawful aliment, prepared by ‘ servants attached to his person, who know the dif- ‘ ference of times and are incapable of perfidy, after ‘ it has been proved innocent *by certain experiments*, ‘ and hallowed by texts of the *Véda* repulsive of ‘ poison.

218. ‘ Together with all his food let him swallow ‘ such medical substances as resist venom; and let ‘ him constantly wear with attention such gems, as ‘ are known to repel it.

219. ‘ Let his females, well tried and attentive, their ‘ dress and ornaments having been examined, *lest some* ‘ *weapon should be concealed in them*, do him humble ‘ service with fans, water, and perfumes:

220. ‘ Thus let him take diligent care, when he ‘ goes

'goes out in a carriage or on horseback, when he 'lies down to rest, when he sits, when he takes food, 'when he bathes, anoints his body *with odorous es-'sences*, and puts on all his habiliments. CHAP. VII.

221. 'After eating, let him divert himself with his 'women in the recesses of his palace; and, having 'idled a reasonable time, let him again think of pub-'lick affairs:

222. 'When he has dressed himself completely, let 'him once more review his armed men, with all their 'elephants, horses, and cars, their accoutrements, and 'weapons.

223. 'At sunset, having performed his religious duty, 'let him privately, but well armed, in his interior 'apartment, hear what has been done by his reporters 'and emissaries:

224. 'Then, having dismissed those informers, and 'returning to another secret chamber, let him go, 'attended by women, to the inmost recess of his 'mansion for the sake of his evening meal;

225. 'There, having a second time eaten a little, 'and having been recreated with musical strains, let 'him take rest early, and rise refreshed from his labour.

226. 'This perfect system of rules let a king, free 'from illness, observe; but, when really afflicted with 'disease, he may intrust all these affairs to his of-'ficers.'

CHAP. VIII.

On Judicature; and on Law, Private and Criminal.

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1. 'A KING, desirous of inspecting judicial proceedings, must enter his court of justice, composed and sedate in his demeanour, together with *Bráhmens* and counsellors, who know how to give him advice:

2. 'There, either sitting or standing, holding forth his right arm, without ostentation in his dress and ornaments, let him examine the affairs of litigant parties.

3. 'Each day let him decide causes, one after another, under the eighteen *principal* titles of law, by arguments and rules drawn from local usages, and from written codes:

4. 'Of those *titles*, the first is debt, on loans for consumption; *the second*, deposits, and loans for use; *the third*, sale without ownership; *the fourth*, concerns among partners; *the fifth*, subtraction of what has been given;

5. '*The sixth*, non-payment of wages or hire; *the seventh*, non-performance of agreements; *the eighth*, rescission of sale and purchase; *the ninth*, disputes between master and servant;

6. '*The tenth*, contests on boundaries; *the eleventh*

'*and*

'*and twelfth*, assault and slander; *the thirteenth*, lar-'ceny; *the fourteenth*, robbery and other violence; '*the fifteenth*, adultery; CHAP. VIII.

7. '*The sixteenth*, altercation between man and 'wife, and their several duties; *the seventeenth*, the 'law of inheritance; *the eighteenth*, gaming with dice 'and with living creatures: these eighteen titles of law 'are settled as the ground-work of all judicial pro-'cedure in this world.

8. 'Among men, who contend for the most part on 'the titles just mentioned, *and on a few miscellaneous* '*heads not comprised under them*, let the king decide 'causes justly, observing primeval law;

9. 'But, when he cannot inspect such affairs in per-'son, let him appoint, for the inspection of them, a '*Bráhmen* of eminent learning:

10. 'Let that chief judge, accompanied by three 'assessors, fully consider all causes brought before 'the king; and, having entered the court-room, let 'him sit or stand, *but not move backwards and forwards*.

11. 'In whatever country three *Bráhmens*, particularly 'skilled in the three several *Védas*, sit together with 'the very learned *Bráhmen* appointed by the king, the 'wise call that *assembly* the court of BRAHMA' *wit* '*four faces*.

12. 'WHEN justice, having been wounded by iniquity, 'approaches the court, and the judges extract not the 'dart, they also shall be wounded by it.

13. 'Either

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13. ‘ Either the court must not be entered *by judges, ‘ parties, and witnesses,* or law and truth must be openly ‘ declared: that man is criminal, who either says no- ‘ thing, or says what is false or unjust.

14. ‘ Where justice is destroyed by iniquity, and ‘ truth by false evidence, the judges, who basely look ‘ on *without giving redress,* shall also be destroyed.

15. ‘ Justice being destroyed, will destroy; being ‘ preserved, will preserve: it must never, therefore, ‘ be violated. “ Beware, *O judge,* lest justice, being ‘ overturned, overturn *both* us and thyself.”

16. ‘ The divine form of justice is represented as ‘ *Vrĭsha,* or *a bull,* and the gods consider him, who ‘ violates justice, as a *Vrĭshala,* or one who slays a ‘ bull: let the king, therefore, and his judges beware ‘ of violating justice.

17. ‘ The only firm friend, who follows men even ‘ after death, is justice: all others are extinct with ‘ the body.

18. ‘ Of injustice *in decisions,* one quarter falls on the ‘ party in the cause; one quarter, on his witnesses; ‘ one quarter, on all the judges; and one quarter on ‘ the king;

19. ‘ But where he, who deserves condemnation, shall ‘ be condemned, the king is guiltless, and the judges ‘ free from blame: an evil deed shall recoil on him, ‘ who committed it.

20. ‘ A *Bráh-*

20. 'A *Bráhmen* supported only by his class, and 'one barely reputed a *Bráhmen*, but without per- 'forming any sacerdotal acts, may, at the king's plea- 'sure, interpret the law to him: *so may the two mid- 'dle classes;* but a *Súdra*, in no case whatever. CHAP. VIII.

21. 'Of that king, who stupidly looks on, while a '*Súdra* decides causes, the kingdom itself shall be 'embarrassed, like a cow in deep mire.

22. 'The whole territory, which is inhabited by a 'number of *Súdras*, overwhelmed with atheists, and 'deprived of *Bráhmens*, must speedily perish afflicted 'with dearth and disease.

23. 'Let the king *or his judge*, having seated him- 'self on the bench, his body properly clothed and 'his mind attentively fixed, begin with doing reve- 'rence to the deities, who guard the world; and then 'let him enter on the trial of causes:

24. 'Understanding what is expedient or inexpe- 'dient, but considering only what is law or not law, 'let him examine all disputes between parties, in the 'order of their several classes.

25. 'By external signs let him see through the 'thoughts of men; by their voice, colour, countenance, 'limbs, eyes, and action:

26. 'From the limbs, the look, the motion of the 'body, the gesticulation, the speech, the changes of 'the eye and the face, are discovered the internal 'workings of the mind.

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27. 'The property of a student and of an infant, 'whether by descent or otherwise, let the king hold 'in his custody, until the owner shall have ended his 'studentship, or until his infancy shall have ceased '*in his sixteenth year*.

28. 'Equal care must be taken of barren women, 'of women without sons, *whose husbands have married* '*other wives*, of women without kindred, or whose 'husbands are in distant places, of widows true to 'their lords, and of women afflicted with illness.

29. 'Such kinsmen, as, *by any pretence*, appropriate 'the fortunes of women during their lives, a just 'king must punish with the severity due to thieves.

30. 'Three years let the king detain the property 'of which no owner appears, *after a distinct procla-* '*mation:* the owner, appearing within the three years, 'may take it; but, after that term, the king may 'confiscate it.

31. 'He, who says "This is mine," must be duly 'examined; and if, *before he inspect it*, he declare its 'form, number, and other circumstances, the owner 'must have his property;

32. 'But if he show not at what place and time 'it was lost, and specify not its colour, shape, and 'dimensions, he ought to be amerced:

33. 'The king may take a sixth part of the pro- 'perty so detained by him, or a tenth, or a twelfth, 'remembering the duty of good kings.

34. 'Property

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34. 'Property lost *by one man*, and found *by another*, let the king secure, by committing it to the 'care of trust-worthy men; and those, whom he shall 'convict of stealing it, let him cause to be trampled 'on by an elephant.

35. 'From the man, who shall say with truth, "This 'property, which has been kept, belongs to me," the 'king may take a sixth or twelfth part, *for having 'secured it;*

36. 'But he, who shall say so falsely, may be fined 'either an eighth part of his own property, or else 'in some small proportion to the value of the goods 'falsely claimed, a just calculation having been made.

37. 'A learned *Bráhmen*, having found a treasure 'formerly hidden, may take it without any deduction; 'since he is the lord of all;

38. 'But of a treasure anciently reposited under 'ground, which *any other subject or* the king has dis'covered, the king may lay up half in his treasury, 'having given half to the *Bráhmens*.

39. 'Of old hoards, and precious minerals in the 'earth, the king is entitled to half by reason of his 'general protection, and because he is the lord para'mount of the soil.

40. 'To men of all classes, the king must restore 'their property, which robbers have seized; since a 'king, who takes it for himself, incurs the guilt of 'a robber.

41. 'A king, who knows the revealed law, must 'enquire into the particular laws of classes, the laws '*or usages* of districts, the customs of traders, and 'the rules of certain families, and establish their pe- 'culiar laws, *if they be not repugnant to the law of* 'GOD;

42. 'Since all men, who mind their own customary 'ways of proceeding, and are fixed in the discharge 'of their several duties, become united by affection 'with the people at large, even though they dwell far 'asunder.

43. 'Neither the king himself nor his officers must 'ever promote litigation; nor ever neglect a law-suit 'instituted by others.

44. 'As a hunter traces the lair of a *wounded* beast 'by the drops of blood; thus let a king investigate 'the true point of justice by deliberate arguments:

45. 'Let him fully consider the nature of truth, the 'state of the case, and his own person; and next, 'the witnesses, the place, the mode, and the time; 'firmly adhering to all the rules of practice:

46. 'What has been practised by good men and by 'virtuous *Bráhmens*, if it be not inconsistent with the 'legal customs of provinces or districts, of classes and 'families, let him establish.

47. 'WHEN a creditor sues before him for the reco- 'very of his right from a debtor, let him cause the 'debtor to pay what the creditor shall prove due.

48. 'By

48. 'By whatever lawful means a creditor may have 'gotten possession of his own property, let the king 'ratify such payment by the debtor, though obtained 'even by compulsory means.

49. 'By the mediation of friends, by suit in court, 'by artful management, or by distress, a creditor may 'recover the property lent; and, fifthly, by legal 'force.

50. 'That creditor, who recovers his right from his 'debtor, must not be rebuked by the king for retaking 'his own property.

51. 'In a suit for a debt, which the defendant de-'nies, let him award payment to the creditor of what, 'by good evidence, he shall prove due, and exact a 'small fine, *according to the circumstances of the deb-'tor.*

52. 'On the denial of a debt, which the defendant 'has in court been required to pay, the plaintiff must 'call a witness who was present at the place of the 'loan, or produce other evidence, *as a note and the 'like.*

53. 'The plaintiff, who calls a witness not present 'at the place, *where the contract was made*, or, having 'knowingly called him, disclaims him as his witness; 'or who perceives not, that he asserts confused and 'contradictory facts;

54. 'Or who, having stated what he designs to 'prove, varies afterwards from his case; or who, being

'questioned



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'questioned on a fact, which he had before admitted, 'refuses to acknowledge that very fact;

55. 'Or who has conversed with the witnesses in a 'place unfit for such conversation; or who declines 'answering a question properly put; or who departs 'from the court;

56. 'Or who, being ordered to speak, stands mute; 'or who proves not what he has alledged; or who 'knows not what is capable or incapable of proof; '*such a plaintiff* shall fail in that suit.

57. 'Him who has said "I have witnesses," and, 'being told to produce them, produces them not, the 'judge must on this account declare nonsuited.

58. 'If the plaintiff delay to put in his plaint, he 'may, *according to the nature of the case*, be corpo-'rally punished or justly amerced; and, if the defen-'dant plead not within three fortnights, he is by law 'condemned.

59. 'In the double of that sum, which the defendant 'falsely denies, or on which the complainant falsely 'declares, shall those two men, wilfully offending 'against justice, be fined by the king.

60. 'When a man has been brought into court by 'a suitor for property, and, being called on to answer, 'denies the debt, the cause should be decided by the '*Bráhmen* who represents the king, having heard 'three witnesses *at least*.

61. 'WHAT

61. ' What sort of witnesses must be produced by ' creditors *and others* on the trial of causes, I will ' comprehensively declare; and in what manner those ' witnesses must give true evidence.

62. ' Married house-keepers, men with male issue, ' inhabitants of the same district, either of the mili- ' tary, the commercial, or the servile class, are com- ' petent, when called by the party, to give their evi- ' dence; not any persons indiscriminately, except in ' *such* cases of urgency *as will soon be mentioned.*

63. ' Just and sensible men of all the *four* classes ' may be witnesses on trials; men, who know their ' whole duty, and are free from covetousness: but ' men of an opposite character the judge must reject.

64. ' Those must not be admitted who have a pecu- ' niary interest; nor familiar friends; nor menial ser- ' vants; nor enemies; nor men formerly perjured; nor ' persons grievously diseased; nor those, who have ' committed heinous offences.

65. ' The king cannot be made a witness; nor *cooks,* ' *and the like* mean artificers; nor publick dancers and ' singers; nor a priest of deep learning in scripture; ' nor a student in theology; nor an anchoret secluded ' from all worldly connexions;

66. ' Nor one wholly dependent; nor one of bad ' fame; nor one, who follows a cruel occupation; nor ' one, who acts openly against the law; nor a decrepit ' old man; nor a child; nor one man only, *unless he*

' *be*

CHAP. VIII.

'*be distinguished for virtue;* nor a wretch of the lowest 'mixed class; nor one, who has lost the organs of sense;

67. 'Nor one extremely grieved; nor one intoxi'cated; nor a madman; nor one tormented with 'hunger or thirst; nor one oppressed by fatigue; nor 'one excited by lust; nor one inflamed by wrath; nor 'one who has been convicted of theft.

68. 'Women should regularly be witnesses for 'women; twice-born men, for men alike twice-born; 'good servants and mechanicks, for servants and me'chanicks; and those of the lowest race, for those 'of the lowest;

69. 'But any person whatever, who has positive 'knowledge *of transactions* in the private apartments 'of a house, or in a forest, or at a time of death, 'may give evidence between the parties:

70. 'On failure *of witnesses duly qualified*, evidence 'may *in such cases* be given by a woman, by a 'child, or by an aged man, by a pupil, by a kins'man, by a slave, or by a hired servant;

71. 'Yet of children, of old men, and of the dis'eased, who are all apt to speak untruly, the judge 'must consider the testimony as weak; and *much* '*more*, that of men with disordered minds:

72. 'In all cases of violence, of theft and adultery, 'of defamation and assault, he must not examine too 'strictly the competence of witnesses.

73. 'If

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73. 'If there be contradictory evidence, let the 'king decide by the plurality of credible witnesses; 'if equality in number, by superiority in virtue; if 'parity in virtue, by the testimony of such twice-born 'men, as have best performed publick duties.

74. 'Evidence of what has been seen, or of what 'has been heard, *as slander and the like*, given by 'those who saw or heard it, is admissible; and a 'witness, who speaks truth in those cases, neither de-'viates from virtue nor loses his wealth:

75. 'But a witness, who knowingly says any thing, 'before an assembly of good men, different from what 'he had seen or heard, shall fall headlong, after death, 'into a region of horrour, and be debarred from hea-'ven.

76. 'When a man sees or hears any thing, without 'being then called upon to attest it, yet, if he be '*afterwards* examined as a witness, he must declare 'it, exactly as *it was* seen, *and* as *it was* heard.

77. 'One man, untainted with covetousness *and* '*other vices*, may *in some cases* be the sole witness, 'and will have more weight than many women, be-'cause female understandings are apt to waver; or 'than many other men, who have been tarnished with 'crimes.

78. 'What witnesses declare naturally, *or without* '*bias*, must be received on trials; but what they im-'properly say, from some unnatural bent, is inapplica-'ble to the purposes of justice.

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79. 'The witnesses being assembled in the middle 'of the court-room, in the presence of the plaintiff 'and the defendant, let the judge examine them, after 'having addressed them *all together* in the following 'manner:

80. ' "What ye know to have been transacted in the 'matter before us, between the parties reciprocally, 'declare at large and with truth; for your evidence 'in this cause is required."

81. 'A witness, who gives testimony with truth, 'shall attain exalted seats of beatitude above, and the 'highest fame here below: such testimony is revered 'by Brahma' himself;

82. 'The witness who speaks falsely, shall be fast 'bound *under water*, in the *snaky* cords of Varuna, 'and be wholly deprived of power *to escape torment* 'during a hundred transmigrations: let mankind, there-'fore, give no false testimony.

83. 'By truth is a witness cleared from sin; by truth 'is justice advanced: truth must, therefore, be spoken 'by witnesses of every class.

84. 'The soul itself is its own witness; the soul it-'self is its own refuge; offend not thy conscious soul, 'the supreme internal witness of men!

85. 'The sinful have said in their hearts: "None 'sees us." Yes; the gods distinctly see them; and 'so does the spirit within their breasts.

86. 'The guardian deities of the firmament, of the

'earth,

'earth, of the waters, of the human heart, of the 'moon, of the sun, and of fire, of punishment after 'death, of the winds, of night, of both twilights, 'and of justice, perfectly know the state of all spirits 'clothed with bodies. CHAP. VIII.

87. 'In the forenoon let the judge, being purified, 'severally call on the twice-born, being purified also, 'to declare the truth, in the presence of *some image,* '*a symbol* of the divinity, and of *Bráhmens,* while the 'witnesses turn their faces either to the north or to 'the east.

88. 'To a *Bráhmen* he must begin with saying, '"Declare;" to a *Cshatriya,* with saying, "Declare 'the truth;" to a *Vaisya,* with *comparing perjury to* '*the crime of stealing* kine, grain, or gold; to a '*Súdra,* with comparing it *in some or all of the follow*'*ing sentences,* to every crime *that men can commit.*

89. '"WHATEVER places of torture have been pre'pared for the slayer of a priest, for the murderer 'of a woman or of a child, for the injurer of a 'friend, and for an ungrateful man, those places are 'ordained for a witness who gives false evidence.

90. '"The fruit of every virtuous act, which thou 'hast done, O good man, since thy birth, shall de'part from thee to dogs, if thou deviate in speech 'from the truth.

91. '"O friend to virtue, that supreme spirit, which 'thou believest one and the same with thyself, re-

CHAP. VIII. ‘ sides in thy bosom perpetually, and is an all-knowing inspector of thy goodness or of thy wickedness.

92. ‘ “ If thou beest not at variance, *by speaking falsely*, with YAMA, or the subduer of all: with VAIVASWATA, or the punisher, with that great divinity who dwells in thy breast, go not *on a pilgrimage* to the river *Gangà*, nor to the plains of CURU, *for thou hast no need of expiation.*

93. ‘ “ Naked and shorn, tormented with hunger and thirst, and deprived of sight, shall the man, who gives false evidence, go with a potsherd to beg food at the door of his enemy.

94. ‘ “ Headlong, in utter darkness, shall the impious wretch tumble into hell, who, being interrogated in a judicial inquiry, answers one question falsely.

95. ‘ “ He, who in a court of justice gives an imperfect account of any transaction, or asserts a fact of which he was no eye-witness, shall receive pain *instead of pleasure*, and resemble a man, who eats fish *with eagerness* and swallows the sharp bones.

96. ‘ “ The gods are acquainted with no better mortal in this world, than the man, of whom the intelligent spirit, which pervades his body, has no distrust, when he prepares to give evidence.

97. ‘ “ Hear, honest man, from a just enumeration in order, how many kinsmen, in evidence of different sorts, a false witness kills, *or incurs the guilt of killing:*

98. ‘ “ He

98. ' " He kills five by false testimony concerning cattle in general; he kills ten by false testimony concerning kine; he kills a hundred by false evidence concerning horses; and a thousand by false evidence concerning the human race: CHAP. VIII.

99. ' " By speaking falsely in a cause concerning gold, he kills the born and the unborn; by speaking falsely concerning land, he kills every thing *animated*: beware then of speaking falsely in a cause concerning land!

100. ' " The sages have held false evidence concerning water, and the possession or enjoyment of women, equal to false evidence concerning land; and it is equally criminal in causes concerning *pearls and other* precious things formed in water, and concerning all things made of stone.

101. ' " Marking well all the murders which are comprehended in the crime of perjury, declare thou the whole truth with precision, as *it was* heard, *and* as *it was* seen by thee."

102. ' *Bráhmens*, who tend herds of cattle, who trade, who practise mechanical arts, who profess dancing and singing, who are hired servants or usurers, let the judge exhort and examine as if they were *Súdras*.

103. ' In some cases, a giver of false evidence from a pious motive, even though he know the truth, shall not lose a seat in heaven: such evidence wise men call the speech of the gods.

104. ' Whenever

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104. 'Whenever the death of a man, *who had not* '*been a grievous offender*, either of the servile, the 'commercial, the military, or the sacerdotal class, 'would be occasioned by true evidence, *from the known* '*rigour of the king, even though the fault arose from* '*inadvertence or errour*, falsehood may be spoken: it 'is even preferable to truth.

105. 'Such *witnesses* must offer, as oblations to 'SARASWATI', cakes of rice and milk addressed to the 'goddess of speech; and thus will they fully expiate 'that venial sin of benevolent falsehood:

106. 'Or such a *witness* may pour clarified butter 'into the holy fire, according to the sacred rule, 'hallowing it with the texts called *cúshmándá*, or with 'those which relate to VARUNA, beginning with *ud;* 'or with the three texts appropriated to the water-'gods.

107. 'A MAN who labours not under illness, yet 'comes not to give evidence in cases of loans and 'the like, within three fortnights *after due summons*, 'shall take upon himself the whole debt, and pay a 'tenth part of it as a fine *to the king*.

108. 'The witness, who has given evidence, and 'to whom, within seven days after, *a misfortune* hap-'pens *from* disease, fire, or the death of a kinsman, 'shall be condemned to pay the debt and a fine.

109. 'IN cases, where no witness can be had, be-'tween two parties opposing each other, the judge

'may

'may acquire a knowledge of the truth by the oath 'of the parties; *or* if he cannot *otherwise* perfectly 'ascertain it. CHAP. VIII.

110. 'By the *seven* great *Rishis,* and by the deities 'themselves, have oaths been taken, for the purpose 'of judicial proof; and even VASISHT'HA, *being accused* '*by* VISWA'MITRA *of murder*, took an oath before the '*king* SUDA'MAN, son of PIYAVANA.

111. 'Let no man of sense take an oath in vain, '*that is, not in a court of justice*, on a trifling oc-'casion; for the man, who takes an oath in vain, 'shall be punished in this life and in the next:

112. 'To women, however, at a time of dalliance, 'or on a proposal of marriage, in the case of grass 'or fruit eaten by a cow, of wood taken for a sacri-'fice, or of a promise made for the preservation of 'a *Bráhmen*, it is no deadly sin to take a light oath.

113. 'Let the judge cause a priest to swear by his 'veracity; a soldier, by his horse, or elephant, and 'his weapons; a merchant, by his kine, grain, and 'gold; a mechanick or servile man, by *imprecating* '*on his own head, if he speak falsely*, all possible 'crimes;

114. 'Or, *on great occasions*, let him cause the party 'to hold fire, or to dive under water, or severally to 'touch the heads of his children and wife:

115. 'He, whom the blazing fire burns not, whom 'the water soon forces not up, or who meets with no

'speedy

CHAP. VIII. 'speedy misfortune, must be held veracious in his 'testimony on oath.

116. 'Of the sage VATSA, whom his younger *half-*'*brother* formerly attacked, *as the son of a servile* '*woman*, the fire, which pervades the world, burned 'not even a hair, by reason of his perfect veracity.

117. 'WHENEVER false evidence has been given in 'any suit, the king must reverse the judgment; and 'whatever has been done, must be considered as 'undone.

118. 'Evidence, given from covetousness, from dis-'traction of mind, from terrour, from friendship, from 'lust, from wrath, from ignorance, and from inatten-'tion, must be held invalid.

119. 'THE distinctions of punishment for a false wit-'ness, from either of those motives, I will propound 'fully and in order:

120. 'If he speak falsely through covetousness, he 'shall be fined a thousand *panas;* if through distrac-'tion of mind, *two hundred and fifty*, or the lowest 'amercement; if through terrour, two mean amerce-'ments; if through friendship, four times the lowest;

121. 'If through lust, ten times the lowest amerce-'ment; if through wrath, three times the next, *or* '*middlemost;* if through ignorance, two hundred com-'plete; if through inattention, a hundred only.

122. 'Learned men have specified these punish-'ments,

'ments, *which were* ordained by sage legislators for 'perjured witnesses, with a view to prevent a failure 'of justice and to restrain iniquity. CHAP. VIII.

123. 'Let a just prince banish men of the three '*lower* classes, if they give false evidence, having first 'levied the fine; but a *Bráhmen* let him only banish.

124. 'MENU, son of the Self-existent, has named ten 'places of punishment, which are appropriated to the 'three *lower* classes; but a *Bráhmen* must depart 'from the realm unhurt *in any one of them:*

125. 'The part of generation, the belly, the tongue, 'the two hands, and, fifthly, the two feet, the eye, 'the nose, both ears, the property, and, *in a capital* '*case,* the whole body.

126. 'Let the king, having considered and ascer-'tained the frequency of a similar offence, the place 'and time, the ability of the criminal *to pay or suffer,* 'and the crime itself, cause punishment to fall on those 'alone, who deserve it.

127. 'Unjust punishment destroys reputation during 'life, and fame after death; it even obstructs, in the 'next life, the path to heaven: unjust punishment, 'therefore, let the king by all means avoid.

128. 'A king, who inflicts punishment on such as 'deserve it not, and inflicts no punishment on such 'as deserve it, brings infamy on himself, while he 'lives, and shall sink, when he dies, to a region of 'torment.

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129. 'First, let him punish by gentle admonition; 'afterwards, by harsh reproof; thirdly, by deprivation 'of property; after that, by corporal pain:

130. 'But, when even by corporal punishment he 'cannot restrain such offenders, let him apply to them 'all the four modes with rigour.

131. 'Those names of copper, silver, and gold 'weights, which are commonly used among men, for 'the purpose of worldly business, I will now compre'hensively explain.

132. 'The very small mote, which may be discerned 'in a sun-beam passing through a lattice, is the least 'visible quantity, and men call it a *trasarénu:*

133. 'Eight of those *trasarénus* are supposed equal 'in weight to one minute poppy-seed; three of those 'seeds are equal to one black mustard-seed; and 'three of those last, to a white mustard-seed:

134. 'Six white mustard-seeds are equal to a mid'dle-sized barley-corn; three such barley-corns to one '*racticà*, or seed of the *Gunjà;* five *racticàs* of gold 'are one *másha*, and sixteen such *máshas*, one *su*'*verna;*

135. 'Four *suvernas* make a *pala;* ten *palas*, a *dha*'*rana;* but two *racticàs* of silver, weighed together, 'are considered as one *máshaca;*

136. 'Sixteen of those *máshacas* are a silver *dharana*, 'or *purána;* but a *càrsha*, or eighty *racticàs* of cop'per, is called a *pana* or *cárshápana*.

'137. 'Ten

137. 'Ten *dharanas* of silver are known by the name 'of a *satamána*; and the weight of four *suvernas* has 'also the appellation of a *nishca*. CHAP. VIII.

138. 'Now two hundred and fifty *panas* are de'clared to be the first *or lowest* amercement; five 'hundred of them are considered as the mean; and 'a thousand, as the highest.

139. 'A DEBT being admitted by the defendant, he 'must pay five in the hundred, *as a fine to the king*; 'but, if it be denied *and proved*, twice as much: 'this law was enacted by MENU.

140. 'A LENDER of money may take, in addition 'to his capital, the interest allowed by VASISHT'HA, '*that is*, an eightieth part of a hundred, *or one and a* '*quarter*, by the month, *if he have a pledge*;

141. 'Or, *if he have no pledge*, he may take two 'in the hundred *by the month*, remembering the duty 'of good men: for, by *thus* taking two in the hun'dred, he becomes not a sinner for gain.

142. 'He may thus take *in proportion to the risk*, '*and* in the direct order of the classes, two in the 'hundred *from a priest*, three *from a soldier*, four '*from a merchant*, and five *from a mechanick or servile* '*man*, but never more, as interest by the month.

143. 'If he take a beneficial pledge, *or a pledge* '*to be used for his profit*, he must have no other in'terest on the loan; nor, after a great length of

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'time, *or when the profits have amounted to the debt,* 'can he give or sell such a pledge, *though he may* '*assign it in pledge to another.*

144. 'A pledge *to be kept only* must not be used 'by force, *that is, against consent:* the pawnee so 'using it must give up his whole interest, or must 'satisfy the pawner, *if it be spoiled or worn out,* by 'paying him the original price of it; otherwise, he 'commits a theft of the pawn.

145. 'Neither a pledge *without limit,* nor a de-'posit, are lost to the owner by lapse of time: they 'are both recoverable, though they have long re-'mained *with the bailee.*

146. 'A milch cow, a camel, a riding-horse, *a bull* '*or other beast,* which has been sent to be tamed for 'labour, and other things used with friendly assent, 'are not lost *by length of time to the owner.*

147. '*In general,* whatever chattel the owner sees 'enjoyed by others for ten years, while, though pre-'sent, he says nothing, that chattel he shall not 'recover:

148. 'If he be neither an idiot, nor an infant under 'the full age of fifteen years, and if the chattel be 'adversely possessed in a place where he may see 'it, his property in it is extinct by law, and the 'adverse possessor shall keep it.

149. 'A pledge, a boundary of land, the property 'of an infant, a deposit either open or in a chest

'sealed,

'sealed, female slaves, the wealth of a king, and 'of a learned *Bráhmen*, are not lost in consequence 'of adverse enjoyment.

150. 'The fool, who secretly uses a pledge without, '*though not against*, the assent of the owner, shall give 'up half of his interest, as a compensation for such 'use.

151. 'INTEREST on money, received at once, *not 'month by month, or day by day, as it ought*, must 'never be more than enough to double the debt, *that 'is, more than the amount of the principal paid at the 'same time:* on grain, on fruit, on wool or hair, on 'beasts of burden, *lent to be paid in the same kind of 'equal value*, it must not be more than enough to 'make the debt quintuple.

152. 'Stipulated interest beyond the legal rate, and 'different from the *preceding* rule, is invalid; and the 'wise call it an usurious way *of lending:* the lender 'is entitled *at most* to five in the hundred.

153. 'Let no lender *for a month, or for two or 'three months, at a certain interest*, receive *such* inte-'rest beyond the year; nor any interest, which is 'unapproved; nor interest upon interest *by previous 'agreement;* nor monthly interest exceeding in time 'the amount of the principal; nor interest exacted 'from a debtor, *as the price of the risk, when there 'is no publick danger or distress;* nor immoderate 'profits from a pledge to be used by way of interest.

154. 'He,

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154. 'He, who cannot pay the debt *at the fixed* '*time*, and wishes to renew the contract, may renew 'it in writing, *with the creditor's assent*, if he pay all 'the interest then due;

155. 'But if, *by some unavoidable accident*, he can'not pay the whole interest, he may insert *as prin*'*cipal* in the renewed contract so much of the inte'rest accrued as he ought to pay.

156. 'A lender at interest on *the risk of* safe car'riage, who has agreed on the place and time, shall 'not receive such interest, if *by accident* the goods 'are not carried to the place, or within the time:

157. 'Whatever interest, *or price of the risk*, shall 'be settled *between the parties*, by men well acquainted 'with sea-voyages or journies by land, with times 'and with places, such interest shall have legal force.

158. 'The man, who becomes surety for the appear'ance of a debtor in this world, and produces him 'not, shall pay the debt out of his own property;

159. 'But money, due by a surety, or idly promised '*to musicians and actresses*, or lost at play, or due 'for spirituous liquors, or what remains unpaid of a 'fine or toll, the son *of the surety or debtor* shall not '*in general* be obliged to pay:

160. 'Such is the rule in cases of a surety for ap'pearance *or good behaviour;* but, if a surety for pay'ment should die, the judge may compel even his 'heirs to discharge the debt.

161. 'On

161. 'On what account then is it, that, after the 'death of a surety other than for payment, the cre-'ditor may *in one case* demand the debt *of the heir*, 'all the affairs of the deceased being known and 'proved?

162. 'If the surety had received money from the 'debtor, and had enough to pay the debt, the son 'of him, who so received it, shall discharge the debt 'out of his *inherited* property: this is a sacred ordi-'nance.

163. 'A contract made by a person intoxicated or 'insane, or grievously disordered, or wholly depen-'dent, by an infant or a decrepit old man, or *in the* '*name of another* by a person without authority, is 'utterly null.

164. 'That plaint can have no effect, though it may 'be supported by evidence, which contains a cause 'of action inconsistent with positive law or with set-'tled usage.

165. 'When the judge discovers a fraudulent pledge 'or sale, a fraudulent gift and acceptance, or in what-'ever other case he detects fraud, let him annul the 'whole transaction.

166. 'If the debtor be dead, and if the money bor-'rowed was expended for the use of his family, it 'must be paid by that family, divided or undivided, 'out of their own estate.

167. 'Should even a slave make a contract *in the*

'*name*

CHAP. VIII. '*name of his absent master* for the behoof of the 'family, that master, whether in his own country or 'abroad, shall not rescind it.

168. 'What is given by force *to a man who cannot* '*accept it legally*, what is by force enjoyed, by force 'caused to be written, and all other things done by 'force *or against free consent*, MENU has pronounced 'void.

169. 'Three are troubled by means of others, *name-* '*ly*, witnesses, sureties, and inspectors of causes, and 'four collect wealth slowly, *with benefit to others*, a '*Bráhmen*, a money-lender, a merchant, and a king.

170. 'Let no king, how indigent soever, take any 'thing which ought not to be taken; nor let him, 'how wealthy soever, decline taking that which he 'ought to take, be it ever so small:

171. 'By taking what ought not to be taken, and 'by refusing what ought to be received, the king be- 'trays his own weakness, and is lost both in this 'world and in the next;

172. 'But by taking his due, by administering jus- 'tice, and by protecting the weak, the king augments 'his own force, and is exalted in the next world and 'in this.

173. 'Therefore, let the king, like YAMA, resigning 'what may be pleasing or unpleasing to himself, live 'by the strict rules of YAMA, his anger being repress- 'ed, and his organs kept in subjection.

174. 'That

174. 'That evil-minded king, who, through infatua- CHAP. VIII.
'tion, decides causes with injustice, his enemies,
'*through the disaffection of his people*, quickly reduce
'to a state of dependence;

175. 'But him, who subduing both lust and wrath,
'examines causes with justice, his people naturally
'seek, as rivers the ocean.

176. 'The debtor, who complains before the king,
'that his creditor has recovered the debt by his own
'legal act, *as before-mentioned*, shall be compelled by
'the king to pay a quarter of the sum *as a fine*, and
'the creditor shall be left in possession of his own.

177. 'Even by personal labour shall the debtor pay
'what is adjudged, if he be of the same class with
'the creditor, or of a lower; but a debtor of a higher
'class must pay it *according to his income* by little
'and little.

178. 'By this system of rules let the king decide,
'with equal justice, all disputes between men oppo-
'sing each other, having ascertained the truth by
'evidence or the oaths of the parties.

179. 'A sensible man should make a deposit with
'some person of high birth, and of good morals, well
'acquainted with law, habitually veracious, having a
'large family, wealthy and venerable.

180. 'Whatever thing, and in whatever manner, a
'person shall deposit in the hands of another, the
'same thing, and in the same manner, ought to be

 received

'received back by the owner: as the delivery *was*, 'so *must be* the receipt.

181. 'He, who restores not to the depositor, on his 'request, what has been deposited, may first be tried 'by the judge *in the following manner*, the depositor 'himself being absent.

182. 'On failure of witnesses, let the judge actually 'deposit gold, *or precious things*, with the defendant, 'by the artful contrivance of spies, who have passed 'the age of childhood, and whose persons are en-'gaging:

183. 'Should the defendant restore that deposit in 'the manner and shape, in which it was bailed *by the 'spies*, there is nothing in his hands, for which others 'can justly accuse him;

184. 'But if he restore not the gold, or *precious 'things*, as he ought, to those emissaries, let him be 'apprehended and compelled to pay the value of both 'deposits: this is a settled rule.

185. 'A deposit, whether sealed up or not, should 'never be redelivered, while the depositor is alive, to 'his heir apparent or presumptive: both sorts of de-'posits, indeed, are extinct, *or cannot be demanded by 'the heir*, if the depositor die, *in that case;* but not, 'unless he die, *for, should the heir apparent keep them, 'the depositor himself may sue the bailee:*

186. 'But, if a depositary by his own free act shall 'deliver a deposit to the heir of a deceased bailor, 'he

'he must not be harassed *with claims of a similar* '*kind,* either by the king, or by that heir:

187. 'And, *if similar claims be made,* the king must 'decide the questions after friendly admonition, *with-* '*out having recourse to artifice;* for, the honest dis- 'position of the man being proved, the judge must 'proceed with mildness.

188. 'Such is the mode of ascertaining the right 'in all these cases of a deposit: in the case of a 'deposit sealed up, the bailee shall incur no censure '*on the redelivery,* unless he have *altered the seal or* 'taken out something.

189. 'If a deposit be seized by thieves, *or destroyed* '*by vermine,* or washed away by water, or consumed 'by fire, the bailee shall not be obliged to make it 'good, unless he took part of it for himself.

190. 'The defendant, who denies a deposit, and the 'plaintiff, who asserts it, let the king try by all sorts 'of expedients, and by the modes of ordeal pre- 'scribed in the *Véda.*

191. 'He who restores not a thing really deposited, 'and he, who demands what he never bailed, shall both, '*for a second offence,* be punished as thieves, *if gold,* '*pearls, or the like be demanded;* or, *in the case of a* '*trifling demand,* shall pay a fine equal to the value 'of the thing claimed:

192. '*For the first offence,* the king should compel

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'a fraudulent depositary, without any distinction between a deposit under seal or open, to pay a fine equal to its value.

193. 'That man, who, by false pretences, gets into his hands the goods of another, shall, together with his accomplices, be punished by various degrees of *whipping or mutilation, or even by* death.

194. '*Regularly*, a deposit should be produced, the same in kind and quantity as it was bailed, by the same and to the same person, by whom and from whom it was received, and before the same company, *who were witnesses to the deposit:* he who produces it in a different manner, ought to be fined;

195. 'But a thing, privately deposited, should be privately restored by and to the person, by and from whom it was received: as the bailment *was*, so *should be* the delivery, *according to a rule in the* Véda.

196. 'Thus let the king decide causes concerning a deposit, or a friendly loan for use, without showing rigour to the depositary.

197. 'Him, who sells the property of another man, without the assent of the owner, the judge shall not admit as a competent witness, but shall treat as a thief, who pretends that he has committed no theft:

198. 'If, indeed, he be a near kinsman of the owner,

'owner, he shall be fined six hundred *panas;* but, 'if he be neither his kinsman nor a claimant under 'him, he commits an offence equal to larceny.

199. 'A gift or sale, thus made by any other than 'the true owner, must, by a settled rule, be con-'sidered, in judicial proceedings, as not made.

200. 'Where occupation *for a time* shall be proved, 'but no sort of title shall appear, *the sale cannot be* '*supported:* title, not occupation, is essential to its 'support; *and* this rule *also* is fixed.

201. 'He, who has received a chattel, by purchase 'in open market, *before a number of men,* justly ac-'quires the absolute property, by having paid the 'price of it, *if he can produce the vendor;*

202. 'But, if the vendor be not producible, and the 'vendee prove the publick sale, the latter must be dis-'missed by the king without punishment; and the 'former owner, who lost the chattel, may take it 'back *on paying the vendee half its value.*

203. 'One commodity, mixed with another, shall 'never be sold as *unmixed;* nor a bad commodity '*as good;* nor less *than agreed on;* nor any thing kept 'at a distance or concealed, *lest some defect in it* '*should be discovered.*

204. 'If, after one damsel has been shown, another 'be offered to the bridegroom, *who had purchased* '*leave to marry her from her next kinsman,* he may

'become

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'become the husband of both for the same price: 'this law MENU ordained.

205. 'The kinsman, who gives a damsel in marriage, having first openly told her blemishes, whether 'she be insane, or disordered with elephantiasis, or 'defiled by connexion with a man, shall suffer no 'punishment.

206. 'IF an officiating priest, actually engaged in 'a sacrifice, abandon his work, a share only, in proportion to his work done, shall be given to him 'by his partners in the business, *out of their common 'pay*:

207. 'But, if he discontinue his work *without fraud*, 'after the time of giving the sacrificial fees, he may 'take his full share, and cause what remains to be 'performed by another priest.

208. 'Where, on the performance of solemn rites, 'a specifick fee is ordained for each part of them, 'shall he alone, who performs that part, receive the 'fee, or shall all the priests take the perquisites 'jointly?

209. '*At some holy rites*, let the reader of the *Yajurvéda* take the car, and the *Brahmá*, or superintending priest, the horse; or, *on another occasion*, 'let the reader of the *Rigveda* take the horse, and 'the chanter of the *Sámavéda* receive the carriage, in 'which the purchased materials of the sacrifice had 'been brought.

210. '*A hun-*

210. ‘*A hundred cows being distributable among six-* CHAP. VIII.
‘*teen priests*, the four chief, *or first set*, are entitled ‘to *near* half, *or forty-eight;* the next four, to half ‘of that number; the third set, to a third part of ‘it; and the fourth set, to a quarter:

211. ‘According to this rule, *or in proportion to* ‘*the work*, must allotments of shares be given to men ‘here below, who, *though* in conjunction, perform their ‘several parts of the business.

212. ‘SHOULD money or goods be given, *or promised* ‘*as a gift*, by one man to another, who asks it for ‘some religious act, the gift shall be void, if that ‘act be not afterwards performed:

213. ‘If the money be delivered, and the receiver, ‘through pride or avarice, refuse *in that case* to re- ‘turn it, he shall be fined one *suverna* by the king, ‘as a punishment for his theft.

214. ‘Such, as here declared, is the rule ordained ‘for withdrawing what has been given: I will, next, ‘propound the law for non-payment of wages.

215. ‘THAT hired servant or workman, who, not ‘from any disorder but from indolence, fails to per- ‘form his work according to his agreement, shall be ‘fined eight *racticás*, and his wages or hire shall not ‘be paid.

216. ‘But, if he be really ill, and, when restored ‘to health, shall perform his work according to his

‘original

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'original bargain, he shall receive his pay even for a 'very long time:

217. 'Yet, whether he be sick or well, if the work 'stipulated be not performed *by another for him or by 'himself*, his whole wages are forfeited, though the 'work want but a little of being complete.

218. 'This is the general rule concerning work un'dertaken for wages or hire: next, I will fully declare 'the law concerning such men as break their pro'mises.

219. 'The man, among the traders and other inha'bitants of a town or district, who breaks a promise 'through avarice, though he had taken an oath to 'perform it, let the king banish from his realm:

220. 'Or, *according to circumstances*, let the judge, 'having arrested the promise-breaker, condemn him 'to pay six *nishcas*, or four *suvernas*, or one *satamána* 'of silver, *or all three if he deserve such a fine*.

221. 'Among all citizens, and in all classes, let a 'just king observe this rule for imposing fines on men, 'who shall break their engagements.

222. 'A man, who has bought or sold any thing in 'this world, *that has a fixed price, and is not perish'able, as land or metals*, and wishes to rescind the 'contract, may give or take back such a thing within 'ten days;

223. 'But, after ten days, he shall neither give nor 'take

'take it back: the giver or the taker, *except by con-* 'sent, shall be fined by the king six hundred *panas*. CHAP. VIII.

224. 'The king himself shall take a fine of ninety-'six *panas* from him, who gives a blemished girl *in* '*marriage for a reward*, without avowing her blemish;

225. 'But the man, who, through malignity, says 'of a damsel, that she is no virgin, shall be fined a 'hundred *panas*, if he cannot prove her defilement.

226. 'The holy nuptial texts are applied solely to 'virgins, and no where on earth to girls, who have lost 'their virginity; since those women are *in general* 'excluded from legal ceremonies:

227. 'The nuptial texts are a certain rule in regard 'to wedlock, and the bridal contract is known by 'the learned to be complete *and irrevocable* on the 'seventh step *of the married pair, hand in hand, after* '*those texts have been pronounced.*

228. 'By this law, in all business whatever here 'below, must the judge confine, within the path of 'rectitude, a person inclined to rescind his contract of 'sale and purchase.

229. 'I NOW will decide exactly, according to prin-'ciples of law, the contests usually arising from the 'fault of such as own herds of cattle, and of such 'as are hired to keep them.

230. 'By day the blame falls on the herdsman; by 'night on the owner, *if the cattle be fed and kept* in

CHAP. VIII. ‘ his own house; but, if the place of their food and ‘ custody be different, the keeper incurs the blame.

231. ‘ That hired servant, whose wages are paid ‘ with milk, may, with the assent of the owner, milk ‘ the best cow out of ten: such are the wages of ‘ herdsmen, unless they be paid in a different mode.

232. ‘ The herdsman himself shall make good the ‘ loss of a beast, which through his want of due care ‘ has strayed, has been destroyed by reptiles, or kil- ‘ led by dogs, or has died by falling into a pit;

233. ‘ But he shall not be compelled to make it ‘ good, when robbers have carried it away, if, after ‘ fresh proclamation and pursuit, he give notice to his ‘ master in a proper place and season.

234. ‘ When cattle die, let him carry to his master ‘ their ears, their hides, their tails, the skin below ‘ their navels, their tendons, and the liquor exuding ‘ from their foreheads: let him also point out their ‘ limbs.

235. ‘ A flock of goats or of sheep being attacked ‘ by wolves, and the keeper not going *to repel the* ‘ *attack*, he shall be responsible for every one of ‘ them, which a wolf shall violently kill;

236. ‘ But, if any one of them, while they graze ‘ together near a wood, and the shepherd keeps them ‘ in order, shall be suddenly killed by a wolf spring- ‘ ing on it, he shall not in that case be responsible.

237. ‘ On

237. 'On all sides of a village or small town, let 'a space be left for pasture, in breadth either four 'hundred cubits, or three casts of a large stick; and 'thrice that space round a city or considerable 'town:

238. 'Within that pasture ground, if cattle do any 'damage to grain in a field uninclosed with a hedge, 'the king shall not punish the herdsman.

239. 'Let the owner of the field enclose it with a 'hedge *of thorny plants*, over which a camel could 'not look; and let him stop every gap, through 'which a dog or a boar could thrust his head.

240. 'Should cattle, attended by a herdsman, do 'mischief near a highway, in an enclosed field or 'near the village, he shall be fined a hundred *panas;* 'but against cattle which have no keeper, let the 'owner of the field secure it.

241. 'In other fields, the *owner of* cattle *doing mis-'chief* shall be fined one *pana* and a quarter; but, 'in all places, the *value of the damaged* grain must 'be paid: such is the fixed rule concerning a hus-'bandman.

242. 'For damage by a cow before ten days have 'passed since her calving, by bulls kept for impreg-'nation, and by cattle consecrated to the deity, 'whether attended or unattended, Menu has ordained 'no fine.

243. 'If land be injured, by the fault of the farmer

 'himself,

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'himself, *as if he fails to sow it in due time*, he shall 'be fined ten times as much as the *king's* share *of 'the crop, that might otherwise have been raised;* but 'only five times as much, if it was the fault of his 'servants without his knowledge.

244. 'These rules let a just prince observe in all 'cases of transgression by masters, their cattle, and 'their herdsmen.

245. 'If a contest arise between two villages, *or 'landholders*, concerning a boundary, let the king, *or 'his judge* ascertain the limits in the month of '*Jyaisht'ha*, when the landmarks are seen more dis- 'tinctly.

246. '*When boundaries first are established*, let strong 'trees be planted on them, *Vatas*, *Pippalas*, *Palásas*, '*Sálmalis*, *Sálas* or *Tálas;* or such trees (*like the* Udum- 'bara *or* Vajradru) as abound in milk;

247. 'Or clustering shrubs, or *Vénus* of different 'sorts, or *Samí*-trees, and creepers, or *Saras*, and 'clumps of *Cubjacas:* and mounds of earth should be 'raised on them, so that the landmark may not 'easily perish:

248. 'Lakes and wells, pools and streams, ought 'also to be made on the common limits, and tem- 'ples dedicated to the gods.

249. 'The persons concerned, reflecting on the per- 'petual trespasses committed by men here below

'through

'through ignorance of boundaries, should cause other 'landmarks to be concealed *under ground:* CHAP. VIII.

250. 'Large pieces of stone, bones, tails of cows, 'bran, ashes, potsherds, dried cow-dung, bricks and 'tiles, charcoal, pebbles, and sand,

251. 'And substances of all sorts, which the earth 'corrodes not even in a long time, should be placed '*in jars* not appearing *above ground* on the common 'boundary.

252. 'By such marks, or by the course of a stream, 'and long continued possession, the judge may ascer-'tain the limit between the lands of two parties in 'litigation.

253. 'Should there be a doubt, even on the in-'spection of those marks, recourse must be had, for 'the decision of such a contest, to the declarations 'of witnesses.

254. 'Those witnesses must be examined concern-'ing the landmarks, in the presence of all the towns-'men or villagers, or of both the contending parties:

255. 'What the witnesses, thus assembled and in-'terrogated, shall positively declare concerning the 'limits, must be recorded in writing, together with 'all their names.

256. 'Let them, putting earth on their heads, wear-'ing chaplets of red flowers and clad in red mantles, 'be sworn by *the reward of* all their several good

'actions,

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'actions, to give correct evidence concerning the metes 'and bounds.

257. 'Veracious witnesses, who give evidence as 'the law requires, are absolved from their sins; but 'such, as give it unjustly, shall each be fined two 'hundred *panas*.

258. 'If there be no witnesses, let four men, who 'dwell on all the four sides of the two villages, make 'a decision concerning the boundary, being duly pre'pared, *like the witnesses*, in the presence of the 'king.

259. 'If there be no such neighbours on all sides, 'nor any men, whose ancestors had lived there since 'the villages were built, nor other inhabitants of 'towns, who can give evidence on the limits, the 'judge must examine the following men, who inhabit 'the woods;

260. 'Hunters, fowlers, herdsmen, fishers, diggers 'for roots, catchers of snakes, gleaners, and other 'foresters:

261. 'According to their declaration, when they are 'duly examined, let the king with precision order 'landmarks to be fixed on the boundary line between 'the two villages.

262. 'As to the bounds of arable fields, wells or 'pools, gardens and houses, the testimony of next 'neighbours on every side must be considered as the 'best means of decision:

263. 'Should

263. 'Should the neighbours say any thing untrue, 'when two men dispute about a landmark, the king 'shall make each of those witnesses pay the middle-'most of the three usual amercements.

264. 'He, who, by means of intimidation, shall pos-'sess himself of a house, a pool, a field, or a garden, 'shall be fined five hundred *panas;* but only two 'hundred, if he trespassed through ignorance *of the* '*right.*

265. 'If the boundary cannot be *otherwise* ascer-'tained, let the king, knowing what is just, *that is,* '*without partiality, and* consulting the future benefit 'of both parties, make a bound-line between their 'lands: this is a settled law.

266. 'Thus has the rule been propounded for deci-'sions concerning landmarks: I, next, will declare the 'law concerning defamatory words.

267. 'A SOLDIER, defaming a priest, shall be fined 'a hundred *panas;* a merchant, *thus offending,* an 'hundred and fifty, or two hundred; but, *for such* '*an offence,* a mechanick or servile man shall be 'whipped.

268. 'A priest shall be fined fifty,* if he slander a 'soldier; twenty-five, if a merchant; and twelve, if he 'slander a man of the servile class.

269. 'For abusing one of the same class, a twice-'born man shall be fined only twelve; but for ribal-

'dry

* See Note on Book VIII. verse 268.

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'dry not to be uttered, even that *and every fine* shall 'be doubled.

270. 'A once-born man, who insults the twice-born 'with gross invectives, ought to have his tongue slit; 'for he sprang from the lowest part *of* BRAHMA':

271. 'If he mention their names and classes with 'contumely, *as if he say "Oh* DE'VADATTA, *thou 'refuse of* Bráhmens," an iron style, ten fingers long, 'shall be thrust red hot into his mouth.

272. 'Should he, through pride, give instruction to 'priests concerning their duty, let the king order 'some hot oil to be dropped into his mouth and his 'ear.

273. 'He, who falsely denies, through insolence, the 'sacred knowledge, the country, the class, or the 'corporeal investiture *of a man equal in rank*, shall 'be compelled to pay a fine of two hundred *panas*.

274. 'If a man call another blind with one eye, or 'lame, or defective in any similar way, he shall pay 'the small fine of one *pana*, even though he speak 'truth.

275. 'He shall be fined a hundred, who defames 'his mother, his father, his wife, his brother, his son, 'or his preceptor; and he, who gives not his precep-'tor the way.

276. 'For *mutual* abuse by a priest and a soldier, 'this fine must be imposed by a learned king; the

'lowest

'lowest amercement on the priest, and the middle-most on the soldier. CHAP. VIII.

277. 'Such exactly, *as before-mentioned*, must be 'the punishment of a merchant and a mechanick, in 'respect of their several classes, except the slitting 'of the tongue: this is a fixed rule of punishment.

278. 'THUS fully has the law been declared for the 'punishment of defamatory speech: I will, next, pro'pound the established law concerning assault and 'battery.

279. 'With whatever member a low-born man shall 'assault or hurt a superiour, even that member of 'his must be slit, *or cut more or less in proportion to* '*the injury*: this is an ordinance of MENU.

280. 'He, who raises his hand or a staff against ano'ther, shall have his hand cut; and he, who kicks 'another in wrath, shall have an incision made in his 'foot.

281. 'A man of the lowest class, who shall inso'lently place himself on the same seat with one of 'the highest, shall either be banished with a mark 'on his hinder parts, or the king shall cause a gash 'to be made on his buttock:

282. 'Should he spit on him through pride, the 'king shall order both his lips to be gashed; should 'he urine on him, his penis; should he break wind 'against him, his anus.

283. 'If he seize the *Bráhmen* by the locks, or by

CHAP. VIII. ' the feet, or by the beard, or by the throat, or by ' the scrotum, let the king without hesitation cause ' incisions to be made in his hands.

284. ' If any man scratch the skin *of his equal in* ' *class*, or fetch blood *from him*, he shall be fined a ' hundred *panas;* if he wound a muscle, six *nishcas;* ' but, if he break a bone, let him be instantly ba- ' nished.

285. ' According to the use and value of all great ' trees, must a fine be set for injuring them: this is ' an established rule.

286. ' If a blow, attended with much pain, be given ' either to human creatures or cattle, the king shall ' inflict on the striker a punishment as heavy as the ' presumed suffering.

287. ' In all cases of hurting a limb, wounding, or ' fetching blood, the assailant shall pay the expence ' of a perfect cure; or, *on his failure*, both full da- ' mages and a fine to the same amount.

288. ' He, who injures the goods of another, whe- ' ther acquainted or unacquainted with the owner of ' them, shall give satisfaction to the owner, and pay ' a fine to the king equal to the damage.

289. ' If injury be done to leather or to leathern ' bags, or to utensils made of wood or clay, the fine ' shall be five times their value.

290. ' The wise reckon ten occasions, in regard to

' a carriage

'a carriage, its driver, and its owner, on which the 'fine is remitted; on other occasions a fine is ordained 'by law: CHAP. VIII.

291. 'The nose-cord or bridle being cut, *by some* '*accident without negligence*, or the yoke being snap-'ped, on a sudden overturn, or running against any 'thing *without fault*, the axle being broken, or the 'wheel cracked;

292. 'On the breaking of the thongs, of the halter, 'or of the reins, and when the driver has called aloud 'to make way, *on these occasions* has MENU declared 'that no fine shall be set:

293. 'But, where a carriage has been overturned 'by the unskilfulness of the driver, there, in the 'case of any hurt, the master shall be fined two 'hundred *panas*.

294. 'If the driver be skilful, *but negligent*, the 'driver alone shall be fined; and those in the carriage 'shall be fined each a hundred, if the driver be 'clearly unskilful.

295. 'Should a driver, being met in the way by 'another carriage or by cattle, kill any animal *by his* '*negligence*, a fine shall, without doubt, be imposed '*by the following rule:*

296. 'For killing a man, a fine, equal to that for 'theft, shall be instantly set; half that amount, for 'large brute animals, as for a bull or cow, an ele-'phant, a camel, or a horse;

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297. 'For killing very young cattle, the fine shall 'be two hundred *panas;* and fifty, for elegant qua-'drupeds or beautiful birds, as *antelopes, parrots, and* '*the like;*

298. 'For an ass, a goat, or a sheep, the fine 'must be five silver *máshas;* and one *másha*, for kil-'ling a dog or a boar.

299. 'A WIFE, a son, a servant, a pupil, and a '*younger* whole brother, may be corrected, when they 'commit faults, with a rope or the small shoot of 'a cane;

300. 'But on the back part only of their bodies, 'and not on a noble part by any means: he who 'strikes them otherwise than by this rule, incurs the 'guilt, *or shall pay the fine*, of a thief.

301. 'This law of assault and battery has been 'completely declared: I proceed to declare the rule 'for the settled punishment of theft.

302. 'IN restraining thieves and robbers, let the 'king use extreme diligence; since, by restraining 'thieves and robbers, his fame and his domain are 'increased.

303. 'Constantly, no doubt, is that king to be ho-'noured, who bestows exemption from fear; since he 'performs, *as it were*, a perpetual sacrifice, giving 'exemption from fear as a constant sacrificial present.

304. 'A sixth part of *the reward for* virtuous deeds, 'performed

'performed by the whole people, belongs to the 'king, who protects them; but, if he protect them 'not, a sixth part of their iniquity lights on him.

305. 'Of *the reward for* what every subject reads 'in the *Véda*, for what he sacrifices, for what he 'gives in charity, for what he performs in worship, 'the king justly takes a sixth part in consequence 'of protection.

306. 'A king, who acts with justice in defending 'all creatures, and slays only those, who ought to 'be slain, performs, *as it were*, each day a sacrifice 'with a hundred thousand gifts;

307. 'But a king, who gives no such protection, 'yet receives taxes in kind or in value, market 'duties and tolls, the small daily presents for his 'household, and fines for offences, falls directly *on* '*his death* to a region of horrour.

308. 'That king, who gives no protection, yet takes 'a sixth part of the grain as his revenue, wise men 'have considered as a prince, who draws to him the 'foulness of all his people.

309. 'Be it known, that a monarch, who pays no 'regard to the scriptures, who denies a future state, 'who acts with rapacity, who protects not his people, 'yet swallows up their possessions, will sink low 'indeed *after death*.

310. 'With great care and by three methods let 'him

CHAP. VIII. 'him restrain the unjust; by imprisonment, by confinement in fetters, and by various kinds of corporal punishment;

311. 'Since, by restraining the bad, and by encouraging the good, kings are perpetually made pure, as the twice-born are purified by sacrificing.

312. 'A KING, who seeks benefit to his own soul, must always forgive parties litigant, children, old men, and sick persons, who inveigh against him:

313. 'He, who forgives persons in pain, when they abuse him, shall on that account be exalted in heaven; but he, who excuses them not, through the pride of dominion, shall for that reason sink into hell.

314. 'The stealer *of gold from a priest* must run hastily to the king, with loosened hair, proclaiming the theft, *and adding:* "Thus have I sinned; punish me."

315. 'He must bear on his shoulder a pestle of stone, or a club of *c'hadira*-wood, or a javelin pointed at both ends, or an iron mace:

316. 'Whether the king strike him with it, or dismiss him unhurt, the thief is then absolved from the crime; but the king, if he punish him not, shall incur the guilt of the thief.

317. '*The killer of a priest*, or destroyer of an embryo, casts his guilt on the *willing* eater of his

'provisions;

'provisions; an adulterous wife, on her *negligent* husband; a bad scholar and sacrificer, on their *ignorant* preceptor; and a thief, on the *forgiving* prince: CHAP. VIII.

318. 'But men, who have committed offences, and 'have received from kings the punishment due to them, 'go pure to heaven, and become as clear as those 'who have done well.

319. 'He, who steals the rope or the water-pot 'from a well, and he, who breaks down a cistern, 'shall be fined a *másha* of gold; and that, *which* '*he has taken or injured,* he must restore to its 'former condition.

320. 'Corporal punishment shall be inflicted on him, 'who steals more than ten *cumbhas* of grain (a *cum-* '*bha* is twenty *drónas,* and a *dróna,* two hundred '*palas*): for less he must be fined eleven times as 'much, and shall pay to the owner the amount of 'his property.

321. 'So shall corporal punishment be inflicted for 'stealing commodities usually sold by weight, or 'more than a hundred head of cattle, or gold, or 'silver, or costly apparel:

322. 'For stealing more than fifty *palas,* it is enact- 'ed that a hand shall be amputated: for less, the 'king shall set a fine eleven times as much as the 'value.

323. 'For

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323. 'For stealing men of high birth, and women 'above all, and the most precious gems, *as diamonds* '*or rubies*, the thief deserves capital punishment.

324. 'For stealing large beasts, weapons, or me- 'dicines, let the king inflict *adequate* punishment, 'considering the time and the act.

325. 'For taking kine belonging to priests, and 'boring their nostrils, or for stealing their other 'cattle, the offender shall instantly lose half of one 'foot.

326. 'For stealing thread, raw cotton, materials to 'make spirituous liquor, cow-dung, molasses, curds, 'milk, butter-milk, water, or grass,

327. 'Large canes, baskets of canes, salt of every 'kind, earthen pots, clay or ashes,

328. 'Fish, birds, oil, or clarified butter, flesh-meat, 'honey, or any thing, *as leather, horn, or ivory*, that 'came from a beast,

329. 'Or other things not precious, or spirituous 'liquors, rice dressed with clarified butter, or other 'messes of boiled rice, the fine must be twice the 'value of the commodity stolen.

330. 'For stealing *as much as a man can carry* of 'flowers, green corn, shrubs, creepers, small trees, 'or other vegetables, enclosed by a hedge, the fine 'shall be five *racticàs* of gold or silver;

331. 'But for corn, pot-herbs, roots, and fruit, un-

'enclosed

'enclosed by a fence, the fine is an hundred *panas*, 'if there be no sort of relation *between the taker* 'and the owner; or half a hundred, if there be such 'relation. CHAP. VIII.

332. 'If the taking be violent, and in the sight of 'the owner, it is robbery; if privately in his absence, 'it is only theft; and *it is considered as theft*, when 'a man, having received any thing, refuses to give 'it back.

333. 'On him, who steals the before-mentioned 'things, when they are prepared for use, let the 'king set the lowest amercement *of the three;* and '*the same* on him, who steals only fire from the 'temple.

334. 'With whatever limb a thief commits the of-'fence by any means in this world, *as if he break a* '*wall with his hand or his foot*, even that limb shall 'the king amputate, for the prevention of a similar 'crime.

335. 'Neither a father, nor a preceptor, nor a 'friend, nor a mother, nor a wife, nor a son, nor 'a domestick priest, must be left unpunished by the 'king, if they adhere not with firmness to their 'duty.

336. 'Where another man of lower birth would 'be fined one *pana*, the king shall be fined a thou-'sand, *and he shall give the fine to the priests, or* '*cast it into the river:* this is a sacred rule.

 337. 'But

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337. 'But the fine of a *Súdra* for theft shall be 'eight-fold; that of a *Vaisya*, sixteen-fold; that of a '*Cshatriya*, two and thirty-fold.

338. 'That of a *Bráhmen*, four and sixty-fold; or a 'hundred-fold complete, or even twice four and 'sixty-fold; each of them knowing the nature of his 'offence.

339. 'The taking of roots and fruit from a large 'tree, *in a field or a forest* unenclosed, or of wood 'for a sacrificial fire, or of grass to be eaten by 'cows, MENU has pronounced no theft.

340. 'A PRIEST who willingly receives any thing, 'either for sacrificing or for instructing, from the 'hand of a man who had taken what the owner had 'not given, shall be *punished* even as the thief.

341. 'A twice-born man, who is travelling, and 'whose provisions are scanty, shall not be fined, for 'taking only two sugar canes, or two esculent roots, 'from the field of another man.

342. 'He, who ties the unbound, or looses the 'bound, *cattle of another*, and he, who takes a slave, a 'horse, or a carriage *without permission*, shall be 'punished as for theft.

343. 'A king, who by *enforcing* these laws restrains 'men from committing theft, acquires in this world 'fame, and, in the next, beatitude.

344. 'LET not the king, who ardently desires a 'seat

'seat with INDRA, and wishes for glory, which nothing can change or diminish, endure for a moment the man, who has committed atrocious violence, *as by robbery, arson, or homicide.*

345. 'He, who commits great violence, must be considered as a more grievous offender than a defamer, a thief, or a striker with a staff:

346. 'That king, who endures a man convicted of such atrocity, quickly goes to perdition, and incurs publick hate.

347. 'Neither on account of friendship, nor for the sake of great lucre, shall the king dismiss the perpetrators of violent acts, who spread terrour among all creatures.

348. 'THE twice-born may take arms, when their duty is obstructed by force; and when, in some evil time, a disaster has befallen the twice-born classes;

349. 'And in their own defence; and in a war for just cause; and in defence of a woman or a priest: he, who kills justly, commits no crime.

350. 'Let a man, without hesitation, slay another, *if he cannot otherwise escape*, who assails him with intent to murder, whether young or old, or his preceptor, or a *Bráhmen* deeply versed in the scripture.

351. 'By killing an assassin, who attempts to kill,

CHAP. VIII. ‘ whether in publick or in private, no crime is com-‘ mitted by the slayer: fury recoils upon fury.

352. ‘ MEN, who commit overt-acts of adulterous in-‘ clinations for the wives of others, let the king ‘ banish from his realm, having punished them with ‘ such bodily marks, as excite aversion;

353. ‘ Since adultery causes, to the general ruin, ‘ a mixture of classes among men: thence arises viola-‘ tion of duties; and thence is the root of felicity ‘ quite destroyed.

354. ‘ A man before noted for such an offence, who ‘ converses in secret with the wife of another, shall ‘ pay the first of the three usual amercements;

355. ‘ But a man, not before noted, who thus con-‘ verses with her for some reasonable cause, shall ‘ pay no fine; since in him there is no transgression.

356. ‘ He, who talks with the wife of another man ‘ at a place of pilgrimage, in a forest or a grove, or ‘ at the confluence of rivers, incurs the guilt of an ‘ adulterous inclination:

357. ‘ To send her flowers or perfumes, to sport ‘ and jest with her, to touch her apparel and orna-‘ ments, to sit with her on the same couch, are held ‘ adulterous acts on his part;

358. ‘ To touch a married woman on *her breasts or* ‘ any *other* place, which ought not to be touched, or,

‘ being

'being touched unbecomingly by her, to bear it complacently, are adulterous acts with mutual assent.

359. 'A man of the servile class, who commits actual adultery with the wife of a priest, ought to suffer death; the wives, indeed, of all the four classes must ever be most especially guarded.

360. 'Mendicants, encomiasts, men prepared for a sacrifice, and *cooks and other* artisans, are not prohibited from speaking to married women.

361. 'Let no man converse, after he has been forbidden, with the wives of others: he, who thus converses, *after a husband or father has* forbidden *him*, shall pay a fine of one *suverna*.

362. 'These laws relate not to the wives of publick dancers or singers, or of such base men, as live by intrigues of their wives; men, who either carry women to others, or, lying concealed at home, permit them to hold a culpable intercourse:

363. 'Yet he, who has a private connexion with such women, or with servant-girls kept by one master, or with female anchorets *of an heretical religion*, shall be compelled to pay a small fine.

364. 'He, who vitiates a damsel without her consent, shall suffer corporal punishment instantly; but he, who enjoys a willing damsel, shall not be corporally punished, if his class be the same with hers.

365. 'From a girl, who makes advances to a man

'of

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'of a high class, let not the king take the smallest 'fine; but her, who first addresses a low man, let him 'constrain to live in her house well guarded.

366. 'A low man, who makes love to a damsel of 'high birth, ought to be punished corporally; but he, 'who addresses a maid of equal rank, shall give the 'nuptial present *and marry her*, if her father please.

367. 'Of the man, who through insolence forcibly 'contaminates a damsel, let the king instantly order 'two fingers to be amputated, and condemn him to 'pay a fine of six hundred *panas:*

368. 'A man of equal rank, who defiles a consenting 'damsel, shall not have his fingers amputated, but 'shall pay a fine of two hundred *panas*, to restrain 'him from a repetition of his offence.

369. 'A damsel, polluting another damsel, must be 'fined two hundred *panas*, pay the double value of 'her nuptial present, and receive ten lashes with a 'whip;

370. 'But a woman, polluting a damsel, shall have 'her head instantly shaved, and two of her fingers 'chopped off; and shall ride, mounted on an ass, '*through the publick street.*

371. 'Should a wife, proud of her family and the 'great qualities of her kinsmen, actually violate the 'duty, which she owes to her lord, let the king con'demn her to be devoured by dogs in a place much 'frequented;

372. 'And

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372. 'And let him place the adulterer on an iron 'bed well heated, under which the executioners shall 'throw logs continually, till the sinful wretch be 'there burned *to death*.

373. 'Of a man once convicted, and a year after 'guilty *of the same crime*, the fine must be doubled; '*so it must*, if he be connected with the daughter of 'an outcast or with a *Chándálí* woman.

374. 'A mechanick or servile man, having an adul-'terous connexion with a woman of a twice-born class, 'whether guarded at home or unguarded, *shall thus* '*be punished*: if she was unguarded, *he* shall lose the 'part *offending*, and his whole substance; if guarded, '*and a priestess*, every thing, *even his life*.

375. '*For adultery with a guarded priestess*, a mer-'chant shall forfeit all his wealth after imprisonment 'for a year; a soldier shall be fined a thousand *pa-'nas*, and be shaved with *the* urine *of an ass*:

376. 'But, if a merchant or soldier commit adul-'tery with a woman of the sacerdotal class, whom 'her husband guards not at home, the king shall only 'fine the merchant five hundred, and the soldier a 'thousand:

377. 'Both of them, however, if they commit that 'offence with a priestess *not only* guarded *but eminent* '*for good qualities*, shall be punished like men of the 'servile class, or be burned in a fire of dry grass or 'reeds.

378. 'A *Bráhmen*,

378. 'A *Bráhmen*, who carnally knows a guarded 'woman without her free will, must be fined a thou-'sand *panas;* but only five hundred if he knew her 'with her free consent.

379. 'Ignominious tonsure is ordained, instead of 'capital punishment, for an adulterer of the priestly 'class, where the punishment of other classes may 'extend to loss of life.

380. 'Never shall the king slay a *Bráhmen*, though 'convicted of all possible crimes: let him banish the 'offender from his realm, but with all his property 'secure, and his body unhurt:

381. 'No greater crime is known on earth than 'slaying a *Bráhmen;* and the king, therefore, must 'not even form in his mind an idea of killing a priest.

382. 'If a merchant converse criminally with a 'guarded woman of the military, or a soldier with 'one of the mercantile class, they both deserve the 'same punishment as in the case of a priestess un-'guarded:

383. 'But a *Bráhmen*, who shall commit adultery 'with a guarded woman of those two classes, must 'be fined a thousand *panas;* and, for the like offence 'with a guarded woman of the servile class, the fine 'of a soldier or a merchant shall be also one thou-'sand.

384. 'For adultery with a woman of the military 'class, if unguarded, the fine of a merchant is five

'hundred;

'hundred; but a soldier, *for the converse of that of-* CHAP. VIII.
'*fence*, must be shaved with urine, or pay the fine
'*just mentioned*.

385. 'A priest shall pay five hundred *panas* if he 'connect himself criminally with an unguarded woman 'of the military, commercial, or servile class; and a 'thousand, *for such a connexion with* a woman of a vile '*mixed* breed.

386. 'THAT king, in whose realm lives no thief, no 'adulterer, no defamer, no man guilty of atrocious 'violence, and no committer of assaults, attains the 'mansion of SACRA.

387. 'By suppressing those five in his dominion, he 'gains royalty paramount over men of the same kingly 'rank, and spreads his fame through the world.

388. 'THE sacrificer, who forsakes the officiating 'priest, and the officiating priest, who abandons the 'sacrificer, each being able to do his work, and guilty 'of no grievous offence, must each be fined a hundred '*panas*.

389. 'A mother, a father, a wife, and a son shall 'not be forsaken: he, who forsakes either of them, 'unless guilty of a deadly sin, shall pay six hundred '*panas* as a fine to the king.

390. 'LET not a prince, who seeks the good of his 'own soul, *hastily and alone* pronounce the law, on 'a dispute concerning any legal observance, among 'twice-born men in their several orders;

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391. '*But* let him, after giving them due honour 'according to their merit, and, at first, having soothed 'them by mildness, apprise them of their duty with 'the assistance of *Bráhmens*.

392. 'The priest, who gives an entertainment to 'twenty men of the three first classes, without invit- 'ing his next neighbour, and his neighbour next but 'one, if both be worthy of an invitation, shall be 'fined one *másha* of silver.

393. 'A *Bráhmen* of deep learning in the *Véda* who 'invites not another *Bráhmen*, both learned and vir- 'tuous, to an entertainment *given on some occasion* re- 'lating to his wealth, *as the marriage of his child*, '*and the like*, shall be made to pay him twice the 'value of the repast, and be fined a *másha* of gold.

394. 'Neither a blind man, nor an idiot, nor a 'cripple, nor a man full seventy years old, nor one 'who confers great benefits on priests of eminent 'learning, shall be compelled by any *king* to pay 'taxes.

395. 'Let the king always do honour to a learned 'theologian, to a man either sick or grieved, to a 'little child, to an aged or indigent man, to a man 'of exalted birth, and to a man of distinguished 'virtue.

396. 'Let a washerman wash *the* clothes *of his em-* '*ployers* by little and little, *or piece by piece, and* '*not hastily*, on a smooth board of *Sálmali*-wood: let 'him

'him never mix *the* clothes *of one person* with *the* 'clothes *of another*, nor suffer any *but the owner* to 'wear them.

397. 'Let a weaver, who has received ten *palas* of 'cotton-thread, give them back increased to eleven '*by the rice-water and the like used in weaving*: he, 'who does otherwise, shall pay a fine of twelve *panas*.

398. 'As men versed in cases of tolls, and acquaint-'ed with all marketable commodities, shall establish 'the price of saleable things, let the king take a 'twentieth part of *the profit on sales at* that price.

399. 'Of the trader, who, through avarice, exports 'commodities, of which the king justly claims the 'pre-emption, or on which he has laid an embargo, 'let the sovereign confiscate the whole property.

400. 'Any seller or buyer, who *fraudulently* passes 'by the toll-office at *night or* any *other* improper time, 'or who makes a false enumeration *of the articles* '*bought*, shall be fined eight times as much as their 'value.

401. 'Let the king establish rules for the sale and 'purchase of all marketable things, having duly con-'sidered whence they come, *if imported;* and, *if ex-*'*ported*, whither they must be sent; how long they 'have been kept; what may be gained by them; and 'what has been expended on them.

402. 'Once in five nights, or at the close of every 'half month, *according to the nature of the commo-*

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'*dities*, let the king make a regulation for market 'prices in the presence of those *experienced men*:

403. 'Let all weights and measures be well ascer-'tained by him; and once in six months let him re-'examine them.

404. 'The toll at a ferry is one *pana* for an empty 'cart; half a *pana*, for a man with a load; a quarter, 'for a beast used in agriculture, or for a woman; 'and an eighth, for an unloaded man.

405. 'Waggons, filled with goods packed up, shall 'pay toll in proportion to their value; but for empty 'vessels and bags, and for *poor* men ill-apparelled, a 'very small toll shall be demanded.

406. 'For a long passage, the freight must be pro-'portioned to places and times; but this must be 'understood of passages up and down rivers: at sea 'there can be no settled freight.

407. 'A woman, who has been two months preg-'nant, a religious beggar, a forester in the third 'order, and *Bráhmens, who are* students in theology, 'shall not be obliged to pay toll for their passage.

408. 'Whatever shall be broken in a boat, by the 'fault of the boatmen, shall be made good by those 'men collectively, each paying his portion.

409. 'This rule, ordained for such as pass rivers 'in boats, relates to the culpable neglect of boat-'men on the water: in the case of inevitable acci-'dent, there can be no damages recovered.

410. 'The

410. 'The king should order each man of the mercantile class to practise trade, or money-lending, or 'agriculture and attendance on cattle; and each man 'of the servile class to act in the service of the 'twice-born.

411. 'Both him of the military, and him of the 'commercial class, if distressed for a livelihood, let 'some wealthy *Bráhmen* support, obliging them without harshness to discharge their several duties.

412. 'A *Bráhmen*, who, by his power and through avarice, shall cause twice-born men, girt with the sacrificial thread, to perform servile acts, *such as washing his feet*, without their consent, shall be fined by the king six hundred *panas;*

413. 'But a man of the servile class whether 'bought or unbought, he may compel to perform 'servile duty; because such a man was created by 'the Self-existent for the purpose of serving *Bráhmens:*

414. 'A *Súdra*, though emancipated by his master, 'is not released from a state of servitude; for of a 'state, which is natural to him, by whom can he be 'divested?

415. 'There are servants of seven sorts; one made 'captive under a standard *or in battle*, one maintained in consideration of service, one born of a 'female slave in the house, one sold, or given, or

'inherited

CHAP. VIII. ‘ inherited from ancestors, and one enslaved by way ‘ of punishment *on his inability to pay a large fine*.

416. ‘ Three persons, a wife, a son, and a slave, are declared by law to have *in general* no wealth ‘ exclusively their own: the wealth, which they may ‘ earn, is *regularly* acquired for the man, to whom they ‘ belong.

417. ‘ A *Bráhmen* may seize without hesitation, *if* ‘ *he be distressed for a subsistence*, the goods of his ‘ *Súdra*-slave; for, as that slave can have no property, ‘ his master may take his goods.

418. ‘ With vigilant care should the king exert him- ‘ self in compelling merchants and mechanicks to ‘ perform their respective duties; for, when such men ‘ swerve from their duty, they throw this world into ‘ confusion.

419. ‘ Day by day must the king, *though engaged* ‘ *in forensick business*, consider the great objects of ‘ publick measures, and inquire into the state of his ‘ carriages, *elephants, horses, and cars*, his constant ‘ revenues and necessary expences, his mines *of pre-* ‘ *cious metals or gems*, and his treasury:

420. ‘ Thus, bringing to a conclusion all these ‘ weighty affairs, and removing *from his realm and* ‘ *from himself* every taint of sin, a king reaches the ‘ supreme path of beatitude.’

CHAP.

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On the same; and on the Commercial and Servile Classes.

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1. ‘ I NOW will propound the immemorial duties of ‘ man and woman, who must both remain firm in the ‘ legal path, whether united or separated. CHAP. IX.

2. ‘ Day and night must women be held by their ‘ protectors in a state of dependence; but in *lawful* ‘ *and innocent* recreations, though rather addicted to ‘ them, they may be left at their own disposal.

3. ‘ Their fathers protect them in childhood; ‘ their husbands protect them in youth; their sons ‘ protect them in age: a woman is never fit for in- ‘ dependence.

4. ‘ Reprehensible is the father, who gives not his ‘ daughter in marriage at the proper time; and the ‘ husband, who approaches not his wife in due season; ‘ reprehensible also is the son, who protects not his ‘ mother after the death of her lord.

5. ‘ Women must, above all, be restrained from the ‘ smallest illicit gratification; for, not being thus re- ‘ strained, they bring sorrow on both families:

6. ‘ Let husbands consider this as the supreme law ‘ ordained for all classes; and let them, how weak

‘ soever,

CHAP. IX. 'soever, diligently keep their wives under lawful re'strictions;

7. 'For he who preserves his wife *from vice,* pre'serves his offspring *from suspicion of bastardy,* his 'ancient usages *from neglect,* his family *from disgrace,* 'himself *from anguish,* and his duty *from violation.*

8. 'The husband, after conception by his wife, be'comes himself an embryo, and is born a second 'time here below; for which reason the wife is called '*jáyá,* since by her *(jáyaté)* he is born again:

9. 'Now the wife brings forth a son endued with 'similar qualities to those of the father; so that, 'with a view to an excellent offspring, he must vi'gilantly guard his wife.

10. 'No man, indeed, can wholly restrain women 'by violent measures; but, by these expedients, they 'may be restrained:

11. 'Let the husband keep his wife employed in 'the collection and expenditure of wealth, in purifi'cation and female duty, in the preparation of daily 'food, and the superintendence of household uten'sils.

12. 'By confinement at home, even under affec'tionate and observant guardians, they are not se'cure; but those women are truly secure, who are 'guarded by their own good inclinations.

13. 'Drinking *spirituous liquor,* associating with

'evil

‘ evil persons, absence from her husband, rambling ‘ abroad, unseasonable sleep, and dwelling in the ‘ house of another, are six faults which bring infamy ‘ on a married woman:

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14. ‘ Such *women* examine not beauty, nor pay at-‘ tention to age; whether *their lover be* handsome or ‘ ugly, they think it is enough that he is a man, and ‘ pursue their pleasures.

15. ‘ Through their passion for men, their mutable ‘ temper, their want of settled affection, and their per-‘ verse nature (let them be guarded in this world ‘ ever so well), they soon become alienated from their ‘ husbands.

16. ‘ Yet should their husbands be diligently care-‘ ful in guarding them; though they well know the ‘ disposition, with which the lord of creation formed ‘ them:

17. ‘ MENU allotted to such women a love of their ‘ bed, of their seat, and of ornament, impure appe-‘ tites, wrath, weak flexibility, desire of mischief, ‘ and bad conduct.

18. ‘ Women have no business with the texts of the ‘ *Véda;* thus is the law fully settled: having, therefore, ‘ no evidence *of law*, and no *knowledge of* expiatory ‘ texts, sinful women must be as foul as falsehood ‘ itself; and this is a fixed rule.

19. ‘ To this effect many texts, which may show ‘ their

CHAP. IX. 'their true disposition, are chanted in the *Védas:* hear 'now their expiation for sin.

20. '"That pure blood which my mother defiled 'by adulterous desire, frequenting the houses of other 'men, and violating her duty to her lord, that blood 'may my father purify!" Such is the tenour of the 'holy text, *which her son, who knows her guilt, must 'pronounce for her;*

21. '*And* this expiation has been declared for every 'unbecoming thought, which enters her mind, con-'cerning infidelity to her husband; since that *is the 'beginning of* adultery.

22. 'Whatever be the qualities of the man, with 'whom a woman is united by lawful marriage, such 'qualities even she assumes; like a river *united* with 'the sea.

23. 'ACSHAMA'LA', a woman of the lowest birth, 'being thus united to VASISHT'HA, and SA'RANGI', being 'united to MANDAPA'LA, were entitled to very high 'honour:

24. 'These, and other females of low birth, have 'attained eminence in this world by the respective 'good qualities of their lords.

25. 'Thus has the law, ever pure, been propounded 'for the civil conduct of men and women: hear, next, 'the laws concerning children, by obedience to which 'may happiness be attained in this and the future 'life.

26. 'WHEN

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26. ‘ When good women, united with husbands in ‘ expectation of progeny, eminently fortunate and wor- ‘ thy of reverence, irradiate the houses of their lords, ‘ between them and goddesses of abundance there ‘ is no diversity whatever.

27. ‘ The production of children, the nurture of ‘ them, when produced, and the daily superintendance ‘ of domestick affairs are peculiar to the wife:

28. ‘ From the wife alone proceed offspring, good ‘ household management, solicitous attention, most ex- ‘ quisite caresses, and that heavenly beatitude which ‘ she obtains for the manes of ancestors, and for *the* ‘ *husband* himself.

29. ‘ She, who deserts not her lord, but keeps in ‘ subjection to him her heart, her speech, and her ‘ body, shall attain his mansion in heaven, and, by ‘ the virtuous in this world, be called *Sádhwì, or good* ‘ *and faithful;*

30. ‘ But a wife, by disloyalty to her husband, ‘ shall incur disgrace in this life, and be born *in the* ‘ *next* from the womb of a shakal, or be tormented ‘ with horrible diseases, which punish vice.

31. ‘ Learn now that excellent law, universally sa- ‘ lutary, which was declared, concerning issue, by great ‘ and good sages formerly born.

32. ‘ They consider the male issue of a woman as ‘ the son of the lord; but, on the subject of that ‘ lord, a difference of opinion is mentioned in the

 ‘ *Véda;*

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'*Véda;* some giving that name to the real procreator 'of the child, and others applying it to the married 'possessor of the woman.

33. 'The woman is considered in law as the field, 'and the man as the grain: now vegetable bodies are 'formed by the united operation of the seed and the 'field.

34. 'In some cases the prolifick power of the male 'is chiefly distinguished; in others, the receptacle of 'the female; but, when both are equal in dignity, 'the offspring is most highly esteemed:

35. 'In general, as between the male and female 'powers of procreation, the male is held superiour; 'since the offspring of all procreant beings is distin'guished by marks of the male power.

36. 'Whatever be the quality of seed, scattered in 'a field prepared in due season, a plant of the same 'quality springs in that field, with peculiar visible 'properties.

37. 'Certainly this earth is called the primeval 'womb of many beings; but the seed exhibits not in 'its vegetation any properties of the womb.

38. 'On earth here below, even in the same 'ploughed field, seeds of many different forms, hav'ing been sown by husbandmen in the proper season, 'vegetate according to their nature:

39. 'Rice-plants, *mature in sixty days, and those,* '*which*

'*which require transplantation*, mudga, tila, másha, 'barley, leaks, and sugar-canes, all spring up ac'cording to the seeds.

40. 'That one plant should be sown, and another 'produced, cannot happen: whatever seed may be 'sown, even that produces its proper stem.

41. 'Never must it be sown in another man's field 'by him, who has natural good sense, who has been 'well instructed, who knows the *Véda* and its *Angas*, 'who desires long life:

42. 'They who are acquainted with past times, have 'preserved, on this subject, holy strains chanted by 'every breeze, *declaring*, that "seed must not be 'sown in the field of another man."

43. 'As the arrow of that hunter is vain, who 'shoots it into the wound, which another had made 'just before in the antelope, thus instantly perishes 'the seed, which a man throws into the soil of 'another:

44. 'Sages, who know former times, consider this 'earth *(Prĭt'hiví)* as the wife of king Prithu; and 'thus they pronounce cultivated land to be the pro'perty of him, who cut away the wood, *or who clear'ed and tilled it;* and the antelope, of the first hun'ter, who mortally wounded it.

45. 'Then only is a man perfect, when he consists 'of *three persons united*, his wife, himself, and his 'son; and thus have learned *Bráhmens* announced

'this

CHAP. IX. 'this *maxim:* "The husband is even one person with 'his wife," *for all domestick and religious, not for all 'civil, purposes.*

46. 'Neither by sale nor desertion can a wife be 'released from her husband: thus we fully acknow-'ledge the law enacted of old by the Lord of crea-'tures.

47. 'Once is the partition of an inheritance made; 'once is a damsel given in marriage; and once does 'a man say "I give:" these three are, by good 'men, done once for all *and irrevocably.*

48. 'As with cows, mares, female camels, slave-'girls, milch buffalos, she-goats, and ewes, it is not 'the owner of the *bull or other* father, who owns 'the offspring, even thus is it with the wives of 'others.

49. 'They, who have no property in the field, but, 'having grain in their possession, sow it in soil 'owned by another, can receive no advantage what-'ever from the corn, which may be produced:

50. 'Should a bull beget a hundred calves on cows 'not owned by his master, those calves belong 'solely to the proprietors of the cows; and the 'strength of the bull was wasted:

51. 'Thus men, who have no marital property in 'women, but sow in the fields owned by others, 'may raise up fruit to the husbands; but the pro-'creator can have no advantage from it.

52. 'Unless

52. 'Unless there be a special agreement between 'the owners of the land and of the seed, the fruit 'belongs clearly to the land-owner; for the recepta-'cle is more important than the seed:

53. 'But the owners of the seed and of the soil 'may be considered in this world as joint owners 'of the crop, which they agree, by special compact 'in consideration of the seed, to divide between 'them.

54. 'Whatever man owns a field, if seed, conveyed 'into it by water or wind, should germinate, the 'plant belongs to the land-owner: the mere sower 'takes not the fruit.

55. 'Such is the law concerning the offspring of 'cows, and mares, of female camels, goats, and 'sheep, of slave-girls, hens, and milch buffalos, *un-'less there be a special agreement.*

56. 'Thus has the comparative importance of the 'soil and the seed been declared to you: I will 'next propound the law concerning women, who have 'no issue *by their husbands.*

57. 'The wife of an elder brother is considered as 'mother-in-law to the younger; and the wife of the 'younger as daughter-in-law to the elder:

58. 'The elder brother, amorously approaching the 'wife of the younger, and the younger, caressing 'the wife of the elder, are both degraded, even

'though

CHAP. IX. 'though authorized *by the husband or spiritual guide,* 'except when such wife has no issue.

59. 'On failure of issue by the husband, *if he be* '*of the servile class,* the desired offspring may be 'procreated, either by his brother or some other '*sapinda,* on the wife, who has been duly au-'thorized:

60. 'Sprinkled with clarified butter, silent, in the 'night, let the kinsman thus appointed beget one 'son, but a second by no means, on the widow *or* '*childless wife:*

61. 'Some sages, learned in the laws concerning 'women, thinking it possible, that the great object 'of that appointment may not be obtained *by the* '*birth of a single son,* are of opinion, that the wife 'and appointed kinsman may legally procreate a 'second.

62. 'The first object of the appointment being ob-'tained according to law, both *the brother and the* '*widow* must live together like a father and a 'daughter by affinity.

63. 'Either brother, appointed for this purpose, 'who deviates from the strict rule, and acts from 'carnal desire, shall be degraded, as having defiled 'the bed of his daughter-in-law, or of his father.

64. 'By men of twice-born classes no widow, *or* '*childless wife,* must be authorized to conceive by 'any other than her lord; for they, who authorize 'her

'her to conceive by any other, violate the primeval 'law. CHAP. IX.

65. 'Such a commission *to a brother or other near* '*kinsman* is no where mentioned in the nuptial texts 'of the *Véda;* nor is the marriage of a widow even 'named in the laws concerning marriage.

66. 'This practice, fit only for cattle, is repre- 'hended by learned *Bráhmens;* yet it is declared to 'have been the practice even of men, while VE'NA 'had sovereign power:

67. 'He, possessing the whole earth, and *thence* '*only called* the chief of sage monarchs, gave rise to 'a confusion of classes, when his intellect became 'weak through lust.

68. 'Since his time the virtuous disapprove of that 'man, who, through delusion of mind, directs a widow '*to receive the caresses of another* for the sake of 'progeny.

69. 'The damsel, *indeed,* whose husband shall die 'after troth verbally plighted, *but before consumma-* '*tion,* his brother shall take in marriage according 'to this rule:

70. 'Having espoused her in due form of law, she 'being clad in a white robe, and pure in her moral 'conduct, let him approach her once in each proper 'season, and until issue *be had.*

71. 'LET no man of sense, who has once given

CHAP. IX. ‘his daughter to a suitor, give her again to another; ‘for he, who gives away his daughter, whom he had ‘before given, incurs the guilt and fine of speaking ‘falsely in a cause concerning mankind.

72. ‘Even though a man have married a young ‘woman in legal form, yet he may abandon her, if ‘he find her blemished, afflicted with disease, or pre-‘viously deflowered, and given to him with fraud:

73. ‘If any man give a faulty damsel in marriage, ‘without disclosing her blemish, the husband may ‘annul that act of her ill-minded giver.

74. ‘Should a man have business abroad, let him ‘assure a fit maintenance to his wife, and then reside ‘*for a time* in a foreign country; since a wife, even ‘though virtuous, may be tempted to act amiss, if ‘she be distressed by want of subsistence:

75. ‘While her husband, having settled her main-‘tenance, resides abroad, let her continue firm in ‘religious austerities; but, if he leave her no support, ‘let her subsist by *spinning and other* blameless ‘arts.

76. ‘If he live abroad on account of some sacred ‘duty, let her wait for him eight years; if on ac-‘count of knowledge or fame, six; if on account of ‘pleasure, three: *after those terms have expired, she* ‘*must follow him.*

77. ‘For a whole year let a husband bear with ‘his wife, who treats him with aversion; but, after

‘a year,

'a year, let him deprive her of her separate property, and cease to cohabit with her. CHAP. IX.

78. 'She, who neglects her lord, though addicted 'to gaming, fond of spirituous liquors, or diseased, 'must be deserted for three months, and deprived 'of her ornaments and household furniture:

79. 'But she, who is averse from a mad husband, 'or a deadly sinner, or an eunuch, or one without 'manly strength, or one afflicted with such maladies 'as punish crimes, must neither be deserted nor 'stripped of her property.

80. 'A WIFE, who drinks any spirituous liquors, 'who acts immorally, who shows atred *to her lord*, 'who is *incurably* diseased, who is mischievous, who 'wastes his property, may at all times be superseded 'by another wife.

81. 'A barren wife may be superseded by another 'in the eighth year: she, whose children are all dead, 'in the tenth; she, who brings forth *only* daughters, 'in the eleventh; she, who speaks unkindly, without 'delay;

82. 'But she, who, though afflicted with illness, is 'beloved and virtuous, must never be disgraced, though 'she may be superseded by another wife with her 'own consent.

83. 'If a wife, legally superseded, shall depart in 'wrath from the house, she must either instantly be

 'confined,

CHAP. IX. 'confined, or abandoned in the presence of the whole 'family:

84. 'But she, who, having been forbidden, addicts 'herself to intoxicating liquor even at jubilees, or 'mixes in crowds at theatres, must be fined six *rac*-'*ticás* of gold.

85. 'When twice-born men take wives, both of their 'own class and others, the precedence, honour, and 'habitation of those wives, must be settled according 'to the order of their classes:

86. 'To all such married men, the wives of the 'same class only (not wives of a different class by 'any means) must perform the duty of personal at-'tendance, and the daily business relating to acts 'of religion;

87. 'For he, who foolishly causes those duties to 'be performed by any other than his wife of the 'same class, when she is near at hand, has been im-'memorially considered as a mere *Chandála* begotten 'on a *Bráhmenì*.

88. 'To an excellent and handsome youth of the 'same class, let every man give his daughter in mar-'riage, according to law; even though she have not 'attained her age *of eight years:*

89. '*But* it is better, that the damsel, though mar-'riageable, should stay at home till her death, than 'that he should ever give her in marriage to a bride-'groom void of excellent qualities.

90. 'Three

90. ‘ Three years let a damsel wait, though she be ‘ marriageable; but, after that term, let her chuse ‘ for herself a bridegroom of equal rank: CHAP. IX.

91. ‘ If, not being given in marriage, she chuse her ‘ bridegroom, neither she, nor the youth chosen, ‘ commits any offence;

92. ‘ But a damsel, thus electing her husband, shall ‘ not carry with her the ornaments, which she re- ‘ ceived from her father, nor those given by her ‘ mother or brethren: if she carry them away, she ‘ commits theft.

93. ‘ He, who takes to wife a damsel of full age, ‘ shall not give a nuptial present to her father; since ‘ the father lost his dominion over her, by detaining ‘ her at a time, when she might have been a parent.

94. ‘ A man, aged thirty years, may marry a girl ‘ of twelve, *if he find one* dear to his heart; or a man ‘ of twenty-four years, a damsel of eight: but, if *he* ‘ *finish his studentship earlier, and* the duties *of his* ‘ *next order* would otherwise be impeded, let him ‘ marry immediately.

95. ‘ A wife, given by the gods, *who are named in* ‘ *the bridal texts,* let the husband receive and support ‘ constantly, if she be virtuous, though he married ‘ her not from inclination: such conduct will please ‘ the gods.

96. ‘ To be mothers, were women created; and to ‘ be fathers, men; religious rites, therefore are ordained

‘ in

CHAP. IX. ' in the *Véda* to be performed *by the husband* to-
' gether with the wife.

97. ' If a nuptial gratuity has actually been given ' to a damsel, and he, who gave it, should die *before* ' *marriage*, the damsel shall be married to his brother, ' if she consent;

98. ' But even a man of the servile class ought ' not to receive a gratuity, when he gives his daughter ' in marriage; since a father, who takes a fee *on that* ' *occasion*, tacitly sells his daughter.

99. ' Neither ancients nor moderns, who were good ' men, have ever given a damsel in marriage, after ' she had been promised to another man;

100. ' Nor, even in former creations, have we heard ' *the virtuous approve* the tacit sale of a daughter for ' a price, under the name of a nuptial gratuity.

101. ' " Let mutual fidelity continue to death:" this, ' in few words, may be considered as the supreme ' law between husband and wife.

102. ' Let a man and woman, united by marriage, ' constantly beware, lest, at any time disunited, they ' violate their mutual fidelity.

103. ' Thus has been declared to you the law, ' abounding in the purest affection, for the conduct ' of man and wife; together with the practice of rais- ' ing up offspring *to a husband of the servile class* on

' failure

'failure *of issue by him begotten:* learn now the law 'of inheritance.

104. 'After the death of the father and the mother, 'the brothers being assembled, may divide among 'themselves the paternal *and maternal* estate; but 'they have no power over it, while their parents live, '*unless the father chuse to distribute it.*

105. 'The eldest brother may take entire possession 'of the patrimony; and the others may live under 'him, as *they lived* under their father, *unless they chuse* '*to be separated.*

106. 'By the eldest, at the moment of his birth, 'the father, having begotten a son, discharges his 'debt to his own progenitors; the eldest son, there-'fore, ought *before partition* to manage the whole 'patrimony:

107. 'That son alone, by whose birth he dis-'charges his debt, and through whom he attains im-'mortality, was begotten from a sense of duty: all 'the rest are considered by the wise as begotten from 'love of pleasure.

108. 'Let the father alone support his sons; and 'the first-born, his younger brothers; and let them 'behave to the eldest, according to law, as children '*should behave* to their father.

109. 'The first-born, *if virtuous,* exalts the family, 'or, *if vitious,* destroys it: the first-born is in this

'world

CHAP. IX.

'world the most respectable; and the good never 'treat him with disdain.

110. 'If an elder brother act, as an elder brother 'ought, he is *to be revered* as a mother, as a father; 'and, even if he have not the behaviour of a good 'elder brother, he should be respected as a *maternal 'uncle, or other* kinsman.

111. 'Either let them thus live together, or, if they 'desire *separately to perform* religious rites, let them 'live apart; since religious duties are multiplied in 'separate houses, their separation is, therefore, legal '*and even laudable.*

112. 'The portion deducted for the eldest is a twen-'tieth part *of the heritage*, with the best of all the 'chattels; for the middlemost, half of that, *or a for-'tieth;* for the youngest, a quarter of it, *or an 'eightieth.*

113. 'The eldest and youngest respectively take their 'just mentioned portions; and, if there be more than 'one between them, each of the intermediate sons 'has the mean portion, *or the fortieth.*

114. 'Of all the goods collected let the first-born, '*if he be transcendently learned and virtuous*, take the 'best article, whatever is most excellent in its kind, 'and the best of ten *cows or the like:*

115. 'But among brothers equally skilled in per-'forming their several duties, there is no deduction 'of the best in ten, *or the most excellent chattel;*

'though

'though some trifle, as a mark of greater veneration, 'should be given to the first-born. CHAP. IX.

116. 'If a deduction be thus made, let equal shares 'of the residue be ascertained *and received;* but, if 'there be no deduction, the shares must be distri'buted in this manner:

117. 'Let the eldest have a double share, and the 'next-born, a share and a half, *if they clearly sur'pass the rest in virtue and learning;* the younger 'sons must have each a share: *if all be equal in 'good qualities, they must all take share and share 'alike.*

118. 'To the *unmarried* daughters *by the same mo'ther,* let their brothers give portions out of their 'own allotments respectively, *according to the classes 'of their several mothers:* let each give a fourth part 'of his own distinct share; and they, who refuse to 'give it, shall be degraded.

119. 'Let them never divide *the value of* a single 'goat or sheep, or a single beast with uncloven 'hoofs: a single goat or sheep *remaining after an 'equal distribution,* belongs to the first-born.

120. 'Should a younger brother, *in the manner be'fore mentioned,* have begotten a son on the wife of 'his *deceased* elder brother, the division must then be 'made equally *between that son, who represents the de'ceased, and his natural father:* thus is the law 'settled.

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121. 'The representative is not *so far* wholly sub-'stituted by law in the place of the *deceased* princi-'pal, *as to have the portion of an elder son;* and the 'principal became a father in consequence of the 'procreation *by his younger brother;* the son, there-'fore, is entitled by law to an equal share, *but not* '*to a double portion.*

122. 'A younger son being born of a first married 'wife, after an elder son had been born of a wife 'last married, *but of a lower class,* it may be a doubt 'in that case, how the division shall be made:

123. 'Let the son, born of the elder wife, take one 'most excellent bull deducted from the inheritance; 'the next excellent bulls are for those, who *were born* '*first, but* are inferiour on account of their mothers, '*who were married last.*

124. 'A son, indeed, who was first born, and 'brought forth by the wife first married, may take, '*if learned and virtuous,* one bull and fifteen cows; 'and the other sons may then take, each in right of 'his several mother: such is the fixed rule.

125. 'As between sons, born of wives equal in 'their class *and* without *any other* distinction, there 'can be no seniority in right of the mother; but the 'seniority ordained by law, is according to the birth.

126. 'The right of invoking Indra by the texts, 'called *swabráhmanyá,* depends on actual priority of 'birth; and of twins also, *if any such be conceived* 'among

'among *different* wives, the eldest is he, who was 'first actually born. CHAP. IX.

127. 'He, who has no son, may appoint his daughter in this manner to raise up a son for him, *saying*: '"the male child, who shall be born from her in 'wedlock, shall be mine for the purpose of performing my obsequies."

128. 'In this manner DACSHA himself, lord of created 'beings, anciently appointed all his *fifty* daughters to 'raise up sons to him for the sake of multiplying his 'race:

129. 'He gave ten to DHERMA, thirteen to CASYAPA, 'twenty seven to SÓMA, king *of Bráhmens and medical 'plants*, after doing honour to them with an affectionate heart.

130. 'THE son of a man is even as himself; and 'as the son, such is the daughter *thus appointed*: how 'then, *if he have no son*, can any inherit his property, but a daughter, who is closely united with his 'own soul?

131. 'Property, given to the mother on her marriage, is inherited by her *unmarried* daughter; and 'the son of a daughter, *appointed in the manner just 'mentioned*, shall inherit the whole estate of her father, who leaves no son *by himself begotten*:

132. 'The son, however, of *such* a daughter, who 'succeeds to all the wealth of her father dying with-

CHAP. IX. 'out a son, must offer two funeral cakes, one to his 'own father, and one to the father of his mother.

133. 'Between a son's son and the son of *such* a 'daughter, there is no difference in law; since their 'father and mother both sprang from the body of the 'same man:

134. 'But, a daughter having been appointed to 'produce a son for her father, and a son, *begotten by* '*himself*, being afterwards born, the division of the 'heritage must in that case be equal; since there is 'no right of primogeniture for a woman.

135. 'Should a daughter, thus appointed to raise 'up a son for her father, die by any accident with-'out a son, the husband of that daughter may, with-'out hesitation, possess himself of her property.

136. 'By that male child, whom a daughter thus 'appointed, either by an implied intention or a plain 'declaration, shall produce from a husband of an 'equal class, the maternal grandfather becomes in 'law the father of a son: let that son give the fu-'neral cake and possess the inheritance.

137. 'By a son, a man obtains victory over all 'people; by a son's son, he enjoys immortality; and, 'afterwards, by the son of that grandson, he reaches 'the solar abode.

138. 'Since the son *(tráyaté)* delivers his father 'from the hell named *put*, he was, therefore, called '*puttra* by BRAHMA' himself:

139. 'Now

139. 'Now between the sons of his son and of his 'daughter *thus appointed,* there subsists in this world 'no difference; for even the son of such a daughter 'delivers him in the next, like the son of his son.

140. 'Let the son of such a daughter offer the first 'funeral cake to his mother; the second to her fa-'ther; the third, to her paternal grandfather.

141. 'Of the man, to whom a son has been given, '*according to a subsequent law,* adorned with every 'virtue, that son shall take *a fifth or sixth part of* the 'heritage, though brought from a different family.

142. 'A given son must never claim the family and 'estate of his natural father: the funeral cake follows 'the family and estate; but of him, who has given 'away his son, the funeral oblation is extinct.

143. 'The son of a wife, not authorized to have 'issue by another, and the son begotten, by the 'brother of the husband, on a wife, who has a son 'then living, are both unworthy of the heritage; one 'being the child of an adulterer, and the other pro-'duced through mere lust.

144. 'Even the son of a wife duly authorized, not 'begotten according to the law *already propounded,* 'is unworthy of the paternal estate; for he was pro-'created by an outcast:

145. 'But the son *legally* begotten on a wife, au-'thorized for the purpose *before mentioned,* may inhe-'rit *in all respects, if he be virtuous and learned,* as

'a son

CHAP. IX.

'a son begotten by the husband; since *in that case* 'the seed and the produce belong of right to the 'owner of the field.

146. 'He, who keeps the *fixed and moveable* estate 'of his *deceased* brother, maintains the widow, and 'raises up a son to that brother, must give to that 'son, *at the age of fifteen*, the whole of his brother's '*divided* property.

147. 'Should a wife, even though legally autho-'rized, produce a son by the brother, or any other '*sapinda*, of her husband, that son, if begotten with '*amorous embraces, and tokens of* impure desire, the 'sages proclaim base-born and incapable of inheriting.

148. 'This law, *which has preceded*, must be un-'derstood of a distribution among sons begotten on 'women of the same class: hear now the law con-'cerning *sons by* several women of different classes.

149. 'If there be four wives of a *Bráhmen* in the 'direct order of the classes, and sons are produced 'by them all, this is the rule of partition *among* '*them*:

150. 'The chief servant in husbandry, the bull kept 'for impregnating cows, the riding-horse or carriage, 'the *ring and other* ornaments, and the principal mes-'suage, shall be deducted from the inheritance and 'given to the *Bráhmen*-son, together with a larger 'share by way of pre-eminence.

151. 'Let the *Bráhmen* take three shares of the

'residue;

‘ residue; the son of the *Cshatriyà*-wife, two shares; ‘ the son of the *Vaisyà*-wife, a share and a half; and ‘ the son of the *Súdrà*-wife, may take one share. CHAP. IX.

152. ‘ Or, *if no deduction be made*, let some per- ‘ son learned in the law divide the whole collected ‘ estate into ten parts, and make a legal distribution ‘ by this *following* rule:

153. ‘ Let the son of the *Bráhmanì* take four parts; ‘ the son of the *Cshatriyà* three; let the son of the ‘ *Vaisyà* have two parts; let the son of the *Súdrà* ‘ take a single part, *if he be virtuous.*

154. ‘ But whether the *Bráhmen* have sons, or have ‘ no sons, *by wives of the three first classes,* no more ‘ than a tenth part must be given to the son of a *Sú-* ‘ *drà.*

155. ‘ The son of a *Bráhmen*, a *Cshatriya*, or a ‘ *Vaisya* by a woman of the servile class, shall inhe- ‘ rit no part of the estate, *unless he be virtuous; nor* ‘ *jointly with other sons, unless his mother was law-* ‘ *fully married:* whatever his father may give him, let ‘ that be his own.

156. ‘ All the sons of twice-born men, produced by ‘ wives of the same class, must divide the heritage ‘ equally, after the younger brothers have given the ‘ first-born his deducted allotment.

157. ‘ For a *Súdra* is ordained a wife of his own ‘ class, *and* no other: all, produced by her, shall have ‘ equal shares, though she have a hundred sons.

158. ‘ Of

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158. 'Of the twelve sons of men, whom Menu, 'sprung from the Self-existent, has named, six are 'kinsmen and heirs; six, not heirs, *except to their 'own fathers*, but kinsmen.

159. 'The son begotten by a man himself *in lawful wedlock*, the son of his wife begotten *in the 'manner before described*, a son given *to him*, a son 'made *or adopted*, a son of concealed birth, *or whose 'real father cannot be known*, and a son rejected *by 'his natural parents*, are the six kinsmen and heirs:

160. 'The son of a young woman *unmarried*, the 'son of a pregnant bride, a son bought, a son by 'a twice-married woman, a son self-given, and a son 'by a *Súdrà*, are the six kinsmen, but not heirs *to 'collaterals*.

161. 'Such advantage, as a man would gain, who 'should attempt to pass deep water in a boat made 'of woven reeds, that father obtains, who passes the 'gloom of death, leaving only contemptible sons, *who 'are the eleven, or at least the six, last mentioned.*

162. 'If the two heirs of one man be the son of 'his own body and a son of his wife by a kinsman, '*the former of whom was begotten after his recovery 'from an illness thought incurable*, each of the sons, 'exclusively of the other, shall succeed to the whole 'estate of his natural father.

163. 'The son of his own body is the sole heir to

'his

'his estate, but, that all evil may be removed, let 'him allow a maintenance to the rest; CHAP. IX.

164. 'And, when the son of the body has taken 'an account of the paternal inheritance, let him give 'a sixth part of it to the son of the wife begotten 'by a kinsman, *before his father's recovery;* or a 'fifth part, *if that son be eminently virtuous.*

165. 'The son of the body, and the son of the wife, 'may succeed *immediately* to the paternal estate *in the* '*manner just mentioned;* but the ten other sons can 'only succeed in order to the family duties and to 'their share of the inheritance, *those last named being* '*excluded by any one of the preceding.*

166. 'HIM, whom a man has begotten on his own 'wedded wife, let him know to be the first in rank, 'as the son of his body.

167. 'He, who was begotten, according to law, on 'the wife of a man deceased, or impotent, or dis'ordered, after due authority given to her, is called 'the lawful son of the wife.

168. 'He, whom his father, or mother *with her* '*husband's assent*, gives to another as his son, pro'vided that the donee have no issue, if the boy be 'of the same class and affectionately disposed, is 'considered as a son given, *the gift being confirmed* 'by *pouring* water.

169. 'He is considered as a son made *or adopted,* 'whom a man takes as his own son, the boy being

CHAP. IX.

'equal in class, endued with filial virtues, acquainted 'with *the* merit *of performing obsequies to his adopter,* 'and with *the* sin *of omitting them.*

170. 'In whose mansion soever a male child shall 'be brought forth *by a married woman, whose husband* '*has long been absent*, if the real father cannot be 'discovered, *but if it be probable that he was of an* '*equal class,* that child belongs to the lord of the '*unfaithful* wife, and is called a son of concealed 'birth in his mansion.

171. 'A boy, whom a man receives as his own 'son, after he has been deserted *without just cause* 'by his parents, or by either of them, *if one be* '*dead,* is called a son rejected.

172. 'A son, whom the daughter of any man pri- 'vately brings forth in the house of her father, if she '*afterwards* marry her lover, is described as a son 'begotten on an unmarried girl.

173. 'If a pregnant young woman marry, whether 'her pregnancy be known or unknown, the male child 'in her womb belongs to the bridegroom, and is 'called a son received with his bride.

174. 'He is called a son bought, whom a man, 'for the sake of having a son *to perform his obse-* '*quies,* purchases from his father and mother, whether 'the boy be equal or unequal *to himself in good* '*qualities, for in class all adopted sons must be* '*equal.*

175. 'He

175. 'He, whom a woman, either forsaken by her 'lord or a widow, conceived by a second husband, 'whom she took by her own desire, *though against* '*law*, is called the son of a woman twice married:

176. 'If, *on her second marriage*, she be still a 'virgin, or if she left her husband under the age 'of puberty and return to him at his full age, she 'must again perform the nuptial ceremony *either* 'with her second, *or her young and deserted*, hus- 'band.

177. 'He, who has lost his parents, or been aban- 'doned *by them* without just cause, and offers him- 'self to a man *as his son*, is called a son self-given.

178. 'A son, begotten through lust on a *Súdrà* by 'a man of the priestly class, is even as a corpse, 'though alive, and is thence called in law a living 'corpse:

179. 'But a son, begotten by a man of the servile 'class on his female slave, or on the female slave 'of his male slave, may take a share of the heritage, 'if permitted *by the other sons:* thus is the law es- 'tablished.

180. 'These eleven sons (the son of the wife, and 'the rest as enumerated) are allowed by wise legis- 'lators to be substitutes *in order* for sons of the 'body, for the sake of preventing a failure of obse- 'quies;

181. 'Though such, as are called sons for that pur-

CHAP. IX.

'pose, but were produced from the manhood of others, 'belong in truth to the father, from whose man-'hood they severally sprang, and to no other, *except* '*by a just fiction of law.*

182. 'If, among several brothers of the whole 'blood, one have a son born, Menu pronounces them 'all fathers of a male child by means of that son; '*so that, if such nephew would be the heir, the uncles* '*have no power to adopt sons:*

183. '*Thus* if, among all the wives of the same 'husband, one bring forth a male child, Menu has 'declared them all, by means of that son, to be 'mothers of male issue.

184. 'On failure of the best, *and* of the *next* best, '*among those twelve sons,* let the inferiour in order 'take the heritage; but, if there be many of equal 'rank, let all be sharers of the estate.

185. 'Not brothers, nor parents, but sons, *if living,* '*or their male issue,* are heirs to the deceased, but 'of him, who leaves no son, *nor a wife, nor a* '*daughter,* the father shall take the inheritance; 'and, *if he leave neither father, nor mother,* the bro-'thers.

186. 'To three *ancestors* must water be given at 'their obsequies; for three (*the father, his father,* '*and the paternal grandfather*) is the funeral cake 'ordained: the fourth *in descent* is the giver *of obla-*'*tions to them, and their heir, if they die without*

'*nearer*

'*nearer descendants;* but the fifth has no concern *with* 'the gift of the funeral cake.* CHAP. IX.

187. 'To the nearest *sapinda, male or female,* after 'him in the third degree, the inheritance *next* be-'longs; then, on failure of *sapindas* and of their issue, 'the *samánódaca,* or distant kinsman, shall be the 'heir; or the spiritual preceptor, or the pupil, *or the* '*fellow-student, of the deceased:*

188. 'On failure of all those, the lawful heirs are 'such *Bráhmens,* as have read the three *Védas,* as 'are pure *in body and mind,* as have subdued their 'passions; *and they must consequently offer the cake:* 'thus the rites of obsequies cannot fail.

189. 'The property of a *Bráhmen* shall never be 'taken *as an escheat* by the king; this is a fixed 'law: but the wealth of the other classes, on failure 'of all heirs, the king may take.

190. 'If the widow of a man, who died without a 'son, raise up a son to him by one of his kins-'men, let her deliver to that son, *at his full age,* 'the collected estate of the deceased, whatever it be.

191. 'If two sons, begotten by two *successive hus-*'*bands, who are both dead,* contend for their property, 'then in the hands of their mother, let each take, 'exclusive of the other, his own father's estate.

192. 'On the death of the mother, let all the 'uterine brothers and the uterine sisters, *if unmarried,* 'equally divide the maternal estate: *each married*

'*sister*

CHAP. IX. ‘ *sister shall have a fourth part of a brother's allot-* ‘ *ment.*

193. ‘ Even to the daughters of those daughters, ‘ it is fit, that something should be given, from the ‘ assets of their maternal grandmother, on the score ‘ of natural affection.

194. ‘ What was given before the nuptial fire, what ‘ was given on the bridal procession, what was given ‘ in token of love, and what was received from a ‘ brother, a mother, or a father, are considered as the ‘ six-fold *separate* property of a *married* woman:

195. ‘ What she received after marriage from the ‘ family of her husband, and what her affectionate ‘ lord may have given her, shall be inherited, even ‘ if she die in his life-time, by her children.

196. ‘ It is ordained, that the property of a woman, ‘ married by the ceremonies called *Bráhma*, *Daiva*, ‘ *A'rsha*, *Gándharva*, or *Prájápatya*, shall go to her ‘ husband, if she die without issue.

197. ‘ But her wealth given on the marriage called ‘ *A'sura*, or on either of the *two* others, is ordained, ‘ on her death without issue, to become the property ‘ of her father and mother.

198. ‘ If a widow, *whose husband had other wives* ‘ *of different classes*, shall have received wealth at ‘ any time *as a gift* from her father, *and shall die*

‘ *without*

' *without issue,* it shall go to the daughter of the ' *Bráhmaní*-wife, or to the issue of that daughter. CHAP. IX.

199. ' A woman should never make a hoard from ' the goods of her kindred, *which are* common to *her* ' *and* many; or even from the property of her lord, ' without his assent.

200. ' Such ornamental apparel, as women wear ' during the lives of their husbands, the heirs of those ' husbands shall not divide among themselves: they, ' who divide it among themselves, fall deep *into sin.*

201. ' Eunuchs and outcasts, persons born blind or ' deaf, madmen, idiots, the dumb, and such as have ' lost the use of a limb, are excluded from a share ' of the heritage;

202. ' But it is just, that the heir, who knows his ' duty, should give all of them food and raiment *for* ' *life* without stint, according to the best of his ' power: he, who gives them nothing, sinks assuredly ' *to a region of punishment.*

203. ' If the eunuch and the rest should at any ' time desire to marry, *and if the wife of the eunuch* ' *should raise up a son to him by a man legally ap-* ' *pointed, that son and* the issue of such, as have ' children, shall be capable of inheriting.

204. ' After the death of the father, if the eldest ' brother acquire *wealth by his own efforts before par-* ' *tition,* a share of that *acquisition* shall go to the

' younger

CHAP. IX.

'younger brothers, if they have made a due progress 'in learning;

205. 'And if all of them, being unlearned, acquire 'property *before partition* by their own labour, there 'shall be an equal division of that property *without 'regard to the first-born;* for it was not the wealth 'of their father: this rule is clearly settled.

206. 'Wealth, however, acquired by learning, be- 'longs exclusively to any one *of them, who acquired 'it:* so does any thing given by a friend, received 'on account of marriage, or presented as a mark of 'respect to a guest.

207. 'If any one of the brethren has a compe- 'tence from his own occupation, and wants not the 'property *of his father,* he may debar himself from 'his own share, some trifle being given him as a 'consideration, *to prevent future strife.*

208. 'What a brother has acquired by labour or 'skill, without using the patrimony, he shall not give 'up without his assent; for it was gained by his own 'exertion:

209. 'And if a son, by his own efforts, recover *a 'debt or property unjustly detained,* which could not 'be recovered before by his father, he shall not, un- 'less by his free will, put it into parcenary with his 'brethren, since in fact it was acquired by himself.

210. 'If brethren, once divided and living again 'together as parceners, make a second partition, the

'shares

'shares must in that case be equal; and the first-born shall have no right of deduction. CHAP. IX.

211. 'Should the eldest or youngest of several brothers be deprived of his share *by a civil death on his entrance into the fourth order*, or should any one of them die, his *vested interest in a* share shall not wholly be lost;

212. 'But, *if he leave neither son, nor wife, nor daughter, nor father, nor mother*, his uterine brothers and sisters, and such brothers as were re-united after a separation, shall assemble and divide his share equally.

213. 'Any eldest brother, who from avarice shall defraud his younger brother, shall forfeit *the honours of* his primogeniture, be deprived of his own share, and pay a fine to the king.

214. 'All those brothers, who are addicted to any vice, lose their title to the inheritance: the first-born shall not appropriate it to himself, but shall give shares to the youngest, *if they be not vicious.*

215. 'If, among undivided brethren *living* with their father, there be a common exertion for common gain, the father shall never make an unequal division among them, *when they divide their families.*

216. 'A son, born after a division *in the lifetime of his father*, shall alone inherit the patrimony, or shall have a share of it with the divided brethren, if they return and unite themselves with him.

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217. 'Of a son, dying childless *and leaving no 'widow*, the *father and* mother shall take the estate; 'and, the mother also being dead, the paternal *grand-'father and* grandmother shall take the heritage, *on 'failure of brothers and nephews.*

218. 'When all the debts and wealth have been 'justly distributed according to law, any property, 'that may afterwards be discovered, shall be subject 'to a similar distribution.

219. 'Apparel, carriages, or riding-horses, and or-'naments *of ordinary value, which any of the heirs 'had used by consent before partition*, dressed rice, 'water *in a well or cistern*, female slaves, family 'priests, or spiritual counsellors, and pasture ground 'for cattle, the wise have declared indivisible, *and 'still to be used as before.*

220. 'Thus have the laws of inheritance, and the 'rule for the conduct of sons (whether the son of 'the wife or others) been expounded to you in 'order: learn at present the law concerning games 'of chance.

221. 'Gaming, either with inanimate or with ani-'mated things, let the king exclude wholly from 'his realm: both those modes of play cause destruc-'tion to princes.

222. 'Such play with dice *and the like*, or by 'matches *between rams and cocks*, amounts to open

'theft;

‘ theft; and the king must ever be vigilant in suppressing both *modes of play:* CHAP. IX.

223. ‘ Gaming with lifeless things is known among ‘ men by the name of *dyúta;* but *samáhwaya* signifies a match between living creatures.

224. ‘ Let the king punish corporally at discretion ‘ both the gamester and the keeper of a gaming-‘ house, whether they play with inanimate or ani-‘ mated things; and men of the servile class, who ‘ wear the *string and other* marks of the twice-born.

225. ‘ Gamesters, publick dancers and singers, ‘ revilers of scripture, open hereticks, men who per-‘ form not the duties of their several classes, and ‘ sellers of spirituous liquor, let him instantly banish ‘ from the town:

226. ‘ Those wretches, lurking like unseen thieves ‘ in the dominion of a prince, continually harass his ‘ good subjects with their vitious conduct.

227. ‘ Even in a former creation was this *vice of* ‘ gaming found a great provoker of enmity: let no ‘ sensible man, therefore, addict himself to play even ‘ for his amusement:

228. ‘ On the man addicted to it, either privately ‘ or openly, let punishment be inflicted at the dis-‘ cretion of the king.

229. ‘ A MAN of the military, commercial, or servile ‘ class, who cannot pay a fine, shall discharge the

2 T 2 ‘ debt

CHAP. IX. ‘ debt by his labour: a priest shall discharge it by ‘ little and little.

230. ‘ For women, children, persons of crazy in‘ tellect, the old, the poor, and the infirm, the king ‘ shall order punishment with a small whip, a twig, ‘ or a rope.

231. ‘ Those ministers, who are employed in pub‘ lick affairs, and, inflamed by the blaze of wealth, ‘ mar the business of any person concerned, let the ‘ king strip of all their property.

232. ‘ Such, as forge royal edicts, cause dissentions ‘ among the great ministers, or kill women, priests, ‘ or children, let the king put to death; and such, as ‘ adhere to his enemies.

233. ‘ Whatever business has at any time been ‘ transacted conformably to law, let him consider as ‘ finally settled, and refuse to unravel;

234. ‘ But whatever business has been concluded ‘ illegally by his ministers or by a judge, let the ‘ king himself re-examine; and let him fine them each ‘ a thousand *panas*.

235. ‘ The slayer of a priest, *a soldier or mer*‘ *chant* drinking arak, *or a priest drinking arak*, mead, ‘ or rum, he, who steals *the gold of a priest*, and he, ‘ who violates the bed of his *natural or spiritual* ‘ father, are all to be considered respectively as of‘ fenders in the highest degree, *except those, whose* ‘ *crimes are not fit to be named:*

236. ‘ On

236. 'On such of those four, as have not actually 'performed an expiation, let the king legally inflict 'corporal punishment, together with a fine.

237. 'For violating the paternal bed, let *the mark* '*of* a female part be impressed *on the forehead with* '*hot iron;* for drinking spirits, a vintner's flag; for 'stealing sacred gold, a dog's foot; for murdering 'a priest, *the figure of* a headless corpse:

238. 'With none to eat with them, with none to 'sacrifice with them, with none to read with them, 'with none to be allied by marriage to them, abject 'and excluded from all social duties, let them wander 'over this earth:

239. 'Branded with *indelible* marks, they shall be 'deserted by their paternal and maternal relations, 'treated by none with affection, received by none 'with respect: such is the ordinance of MENU.

240. '*Criminals of* all the classes, having performed 'an expiation, as ordained by law, shall not be marked 'on the forehead, but condemned to pay the highest 'fine:

241. 'For crimes by a priest, *who had a good cha-* '*racter before his offence,* the middle fine shall be set 'on him; or, *if his crime was premeditated,* he shall 'be banished from the realm, *taking* with *him* his 'effects and his family;

242. 'But men of the other classes, who have com- 'mitted those crimes, though without premeditation; 'shall

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'shall be stripped of all their possessions; and, if their 'offence was premeditated, shall be corporally, or 'even capitally, punished, *according to circumstances.*

243. 'LET no virtuous prince appropriate the wealth 'of a criminal in the highest degree; for he, who ap'propriates it through covetousness, is contaminated 'with the same guilt:

244. 'Having thrown such a fine into the waters, 'let him offer it to VARUNA; or let him bestow it on 'some priest of eminent learning in the scriptures:

245. 'VARUNA is the lord of punishment; he holds 'a rod even over kings; and a priest who has gone 'through the whole *Véda*, is *equal to* a sovereign of 'all the world.

246. 'Where the king abstains from receiving *to his 'own use* the wealth of such offenders, there children 'are born in due season and enjoy long lives;

247. '*There* the grain of husbandmen rises abun'dantly, as it was respectively sown; there no young'lings die, nor is one deformed animal born.

248. 'SHOULD a man of the basest class, with pre'conceived malice, give pain to *Bráhmens*, let the 'prince corporally punish him by various modes, that 'may raise terrour.

249. 'A king is pronounced equally unjust in re'leasing the man who deserves punishment, and in 'punishing the man who deserves it not: he is just, 'who always inflicts the punishment ordained by law.

250. 'These

250. 'These established rules for administering justice between two litigant parties, have been propounded at length under eighteen heads.

251. 'Thus fully performing all duties required by 'law, let a king seek *with justice* to possess regions 'yet unpossessed, and, when they are in his possession, let him govern them well.

252. 'His realm being completely arranged and his 'fortresses amply provided, let him ever apply the 'most diligent care to eradicate *bad men resembling* 'thorny weeds, as the law directs.

253. 'By protecting such as live virtuously, and by 'rooting up such as live wickedly, those kings, whose 'hearts are intent on the security of their people, 'shall rise to heaven.

254. 'Of that prince, who takes a revenue, without 'restraining rogues, the dominions are thrown into 'disorder, and himself shall be precluded from a 'celestial abode;

' 255. 'But of him, whose realm, by the strength of his arm, is defended and free from terrour, the dominions continually flourish, like trees duly watered.

256. 'Let the king, whose emissaries are his eyes, 'discern well the two sorts of rogues, the open and 'the concealed, who deprive other men of their 'wealth:

257. 'Open rogues are they, who subsist by cheat-
'ing

CHAP. IX. 'ing in various marketable commodities; and con-'cealed rogues are they, who steal and rob in forests 'and the like secret places.

258. 'Receivers of bribes, extorters of money by 'threats, debasers of metals, gamesters, fortune-tellers, 'imposters, and professors of palmistry;

259. 'Elephant-breakers, and quacks, not performing 'what they engage to perform, pretended artists, and 'subtil harlots;

260. 'These and the like thorny weeds, overspread-'ing the world, let the king discover with a quick 'sight, and others, who act ill in secret; worthless 'men, yet bearing the outward signs of the worthy.

261. 'Having detected them, by means of trusty 'persons disguised, who *pretend to* have the same oc-'cupation with them, and of spies placed in several 'stations, let him bring them by artifice into his 'power;

262. 'Then, having fully proclaimed their respective 'criminal acts, let the king inflict punishment legally, 'according to the crimes proved;

263. 'Since, without certain punishment, it is im-'possible to restrain the delinquency of scoundrels 'with depraved souls, who secretly prowl over this 'earth.

264. 'Much-frequented places, cisterns of water, 'bake-houses, the lodgings of harlots, taverns and

'victualling

'victualling-shops, squares where four ways meet, large 'well known trees, assemblies, and publick spectacles; CHAP. IX.

265. 'Old court-yards, thickets, the houses of artists, 'empty mansions, groves, and gardens;

266. 'These and the like places let the king guard, 'for the prevention of robberies, with soldiers, both 'stationary and patroling, as well as with secret 'watchmen.

267. 'By the means of able spies, once thieves, *but* '*reformed*, who, well knowing the various machina-'tions of rogues, associate with them and follow 'them, let the king detect and draw them forth:

268. 'On pretexts of dainty food and gratifications, 'or of seeing some wise priest, *who could ensure their* '*success*, or on pretence of *mock battles and the like* 'feats of strength, let the spies procure an assembly 'of those men.

269. 'Such as refuse to go forth on those occa-'sions, deterred by *former punishments, which* the 'king *had inflicted*, let him *seize* by force, *and* put to 'death, *on proof of their guilt*, with their friends and 'kinsmen, paternal and maternal, *if proved to be* '*their confederates.*

270. 'Let not a just prince kill a man convicted 'of simple theft, unless taken with the mainer or 'with implements of robbery; but any thief, taken 'with the mainer, or with such implements, let him 'destroy without hesitation;

 271. 'And

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271. 'And let them slay all those, who give robbers 'food in towns, or supply them with implements, or 'afford them shelter.

272. 'Should those men, who were appointed to 'guard any districts, or those of the vicinity, who 'were employed for that purpose, be neutral in at'tacks by robbers *and inactive in seizing them*, let 'him instantly punish them as thieves.

273. 'Him, who lives *apparently* by the rules of 'his class, but *really* departs from those rules, let 'the king severely punish by fine, as a wretch, who 'violates his duty.

274. 'They, who give no assistance on the plun'dering of a town, on the forcible breaking of a dike, 'or on seeing a robbery on the highway, shall be 'banished with their cattle and utensils.

275. 'Men, who rob the king's treasure, or obsti'nately oppose his commands, let him destroy by 'various modes of just punishment; and those, who 'encourage his enemies.

276. 'Of robbers, who break a wall or partition, 'and commit theft in the night, let the prince order 'the hands to be lopped off, and themselves to be 'fixed on a sharp stake.

277. 'Two fingers of a cutpurse, *the thumb and the* '*index*, let him cause to be amputated on his first 'conviction; on the second, one hand and one foot; 'on the third, he shall suffer death.

278 'Such

278. 'Such, as give thieves fire, such as give them 'food, such as give them arms and apartments, and 'such as knowingly receive a thing stolen, let the 'king punish as *he would punish* a thief.

279. 'The breaker of a *dam to secure a* pool, let 'him punish by long immersion under water, or by 'keen corporal suffering; or the offender shall repair 'it, but must pay the highest mulct.

280. 'Those, who break open the treasury, or the 'arsenal, or the temple of a deity, and those, who 'carry off royal elephants, horses, or cars, let him 'without hesitation destroy.

281. 'He, who shall take away the water of an an-'cient pool, or shall obstruct a water-course, must 'be condemned to pay the lowest usual amercement.

282. 'He, who shall drop his ordure on the king's 'highway, except in case of necessity, shall pay two '*panas* and immediately remove the filth;

283. 'But a person in urgent necessity, a very old 'man, a pregnant woman, and a child, only deserve 'reproof, and shall clean the place themselves: that 'is a settled rule.

284. 'All physicians and surgeons acting unskilfully 'in their several professions, must pay for *injury to* 'brute animals the lowest, but for *injury to* human 'creatures the middle, amercement.

285. 'The breaker of a foot-bridge, of a publick

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'flag, of a palisade, and of idols *made of clay*, shall 'repair what he has broken, and pay a mulct of five 'hundred *panas*.

286. 'For mixing impure with pure commodities, 'for piercing fine gems, *as diamonds or rubies*, and 'for boring *pearls or inferiour gems* improperly, the 'fine is the lowest of the three; *but damages must 'always be paid.*

287. 'The man, who shall deal unjustly with pur-'chasers at a fair price *by delivering goods of less va-'lue*, or shall sell at a high price *goods of ordinary 'value*, shall pay, *according to circumstances*, the low-'est or the middle amercement.

288. 'Let the king place all prisons near a publick 'road, where offenders may be seen wretched or dis-'figured.

289. 'Him, who breaks down a *publick* wall, him, who 'fills up a *publick* ditch, him, who throws down a '*publick* gate, the king shall speedily banish.

290. 'For all sacrifices to destroy innocent men, 'the punishment is a fine of two hundred *panas;* and 'for machinations with *poisonous* roots, and for the 'various *charms and* witcheries *intended* to kill, by 'persons not effecting their purpose.

291. 'The seller of bad grain for good, or of good 'seed placed at the top *of the bag, to conceal the 'bad below*, and the destroyer of known land-marks,

'must

'must suffer such corporal punishment as will dis-'figure them;

292. 'But the most pernicious of all deceivers is 'a goldsmith, who commits frauds: the king shall 'order him to be cut peacemeal with razors.

293. 'For stealing implements of husbandry, wea-'pons, and prepared medicines, let the king award 'punishment according to the time and according to 'their use.

294. 'The king, and his council, his metropolis, 'his realm, his treasure, and his army, together with 'his ally, are the seven members of his kingdom; '*whence* it is called *Septánga:*

295. 'Among those seven members of a kingdom, 'let him consider the ruin of the first, and so forth 'in order, as the greatest calamity;

296. 'Yet, in a seven-parted kingdom here below, 'there is no supremacy among the several parts, 'from any pre-eminence in useful qualities: but all 'the parts must reciprocally support each other, like 'the three staves of a holy mendicant:

297. 'In these and those acts, *indeed*, this and 'that member may be distinguished; *and* the mem-'ber by which any affair is transacted, has the pre-'eminence in that particular affair.

298. 'When the king employs emissaries, when he 'exerts power, when he regulates publick business,

'let

CHAP. IX. 'let him invariably know both his own strength and 'that of his enemy,

299. 'With all *their several* distresses and vices: 'let him then begin his operations, having maturely 'considered the greater and less importance *of particular acts:*

300. 'Let him, *though frequently disappointed*, re'new his operations, how fatigued soever, again and 'again; since fortune always attends the man, who, '*having begun well,* strenuously renews his efforts.

301. 'All the ages, called *Satya, Trétá, Dwápara,* 'and *Cali,* depend on the conduct of the king; who 'is declared *in turn* to represent each of those 'ages:

302. 'Sleeping, he is the *Cali* age; waking, the '*Dwápara;* exerting himself in action, the *Trétá;* 'living virtuously, the *Satya.*

303. 'Of Indra, of Su'rya, of Pavana, of Yama, of 'Varuna, of Chandra, of Agni, and of Prit'hivì, let 'the king emulate the power and attributes.

304. 'As Indra sheds plentiful showers during the 'four rainy months, thus let him, acting like the 'regent of clouds, rain just gratifications over his 'kingdom:

305. 'As Su'rya with strong rays draws up the 'water during eight months, thus let him, perform'ing the function of the sun, gradually draw from 'his realm the legal revenue:

306. 'As

306. 'As PAVANA, when he moves, pervades all 'creatures, thus let him, imitating the regent of 'wind, pervade *all places* by his concealed emis'saries: CHAP. IX.

307. 'As YAMA, at the appointed time, punishes 'friends and foes, *or those who revere, and those who* '*contemn, him,* thus let the king, resembling the 'judge of departed spirits, punish *offending subjects:*

308. 'As VARUNA most assuredly binds the guilty 'in fatal cords, thus let him, representing the genius 'of water, keep offenders in close confinement:

309. 'When the people are no less delighted on 'seeing the king, than on seeing the full moon, he 'appears in the character of CHANDRA:

310. 'Against criminals let him ever be ardent in 'wrath, let him be splendid in glory, let him con'sume wicked ministers, thus emulating the functions 'of AGNI, regent of fire.

311. 'As PRIT'HIVÌ supports all creatures equally, 'thus a king, sustaining all subjects, resembles in 'his office the goddess of earth.

312. 'Engaged in these duties and in others, with 'continual activity, let the king, *above all things* 'restrain robbers, both in his own territories and in 'those of other princes, *from which they come, or in* '*which they seek refuge.*

313. 'LET him not, although in the greatest distress

'*for*

CHAP. IX. '*for money*, provoke *Bráhmens* to anger *by taking* '*their property;* for they, once enraged, could imme- 'diately *by sacrifices and imprecations* destroy him with 'his troops, elephants, horses and cars.

314. 'Who, without perishing, could provoke those 'holy men, by whom, *that is, by whose ancestors,* '*under* BRAHMA', the all-devouring fire was created, 'the sea with waters not drinkable, and the moon 'with its wane and increase?

315. 'What prince could gain wealth by oppress- 'ing those, who, if angry, could frame other worlds 'and regents of worlds, could give being to new gods 'and mortals?

316. 'What man, desirous of life, would injure 'those, by the aid of whom, *that is, by whose obla-* '*tions*, worlds and gods perpetually subsist; those, 'who are rich in the learning of the *Véda?*

317. 'A *Bráhmen*, whether learned or ignorant, is 'a powerful divinity; even as fire is a powerful di- 'vinity, whether consecrated or popular.

318. 'Even in places for burning the dead, the 'bright fire is undefiled; and, when presented with 'clarified butter at *subsequent* sacrifices, blazes again 'with extreme splendour:

319. 'Thus, although *Bráhmens* employ themselves in 'all sorts of mean occupation, they must invariably 'be honoured; for they are something transcendently 'divine.

320. 'Of

320. 'Of a military man, who raises his arm violently on all occasions against the priestly class, the priest himself shall be the chastiser; since the soldier originally proceeded from the *Bráhmen*.

321. 'From the waters arose fire; from the priest, the soldier; from stone, iron: their all-penetrating force is ineffectual in the place, whence they respectively sprang.

322. 'The military class cannot prosper without the sacerdotal, nor can the sacerdotal be raised without the military: both classes, by cordial union, are exalted in this world and in the next.

323. 'Should the king *be near his end through some incurable disease, he* must bestow on the priests all his riches accumulated from legal fines; and, having duly committed his kingdom to his son, let him seek death in battle, *or, if there be no war, by abstaining from food.*

324. 'Thus conducting himself, *and* ever firm in discharging his royal duties, let the king employ all his ministers in acts beneficial to his people.

325. 'These rules for the conduct of a military man having been propounded, let mankind next hear the rules for the commercial and servile classes in due order.

326. 'Let the *Vaisya*, having been girt with his proper sacrificial thread, and having married an

CHAP. IX. ‘ equal wife, be always attentive to his business *of* ‘ *agriculture and trade*, and to that of keeping cattle;

327. ‘ Since the Lord of created beings, having ‘ formed herds, and flocks, intrusted them to the care ‘ of the *Vaisya*, while he intrusted the whole human ‘ species to the *Bráhmen* and the *Cshatriya:*

328. ‘ Never must a *Vaisya* be disposed to say, ‘ “ I keep no cattle;” nor, he being willing to keep ‘ them, must they by any means be kept by men of ‘ another class.

329. ‘ Of gems, pearls, and coral, of iron, of wo- ‘ ven cloth, of perfumes and of liquids, let him well ‘ know the prices both high and low:

330. ‘ Let him be skilled likewise in *the time and* ‘ *manner of* sowing seeds, and in the bad or good ‘ qualities of land; let him also perfectly know the ‘ correct modes of measuring and weighing,

331. ‘ The excellence or defects of commodities, ‘ the advantages and disadvantages of different re- ‘ gions, the probable gain or loss on vendible goods, ‘ and the means of breeding cattle with large aug- ‘ mentation:

332. ‘ Let him know the just wages of servants, ‘ the various dialects of men, the best way of keep- ‘ ing goods, and *whatever else belongs to* purchase ‘ and sale.

333. ‘ Let him apply the most vigilant care to ‘ augment

'augment his wealth by *performing* his duty; and, 'with great solicitude, let him give nourishment to 'all sentient creatures.

334. 'SERVILE attendance on *Bráhmens* learned in 'the *Véda*, chiefly on such as keep house and are 'famed for virtue, is of itself the highest duty of a '*Súdra*, and leads him to future beatitude.

335. 'Pure *in body and mind*, humbly serving the 'three higher classes, mild in speech, never arrogant, 'ever seeking refuge in *Bráhmens* principally, he may 'attain the most eminent class *in another transmigra-'tion*.

336. 'THIS clear system of duties has been pro-'mulgated for the four classes, when they are not 'in distress for subsistence; now learn in order their 'several duties in times of necessity.'

CHAP. X.

On the mixed Classes; and on Times of Distress.

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1. 'Let the three twice-born classes, remaining firm 'in their several duties, carefully read the *Véda;* but 'a *Bráhmen* must explain it to them, not *a man of* 'the other two *classes:* this is an established rule.

2. 'The *Bráhmen* must know the means of sub'sistence ordained by law for all the classes, and 'must declare them to the rest: let himself likewise 'act in conformity *to law.*

3. 'From priority of birth, from superiority of ori'gin, from a more exact knowledge of scripture, and 'from a distinction in the sacrificial thread, the *Bráh*'*men* is the lord of all classes.

4. 'The three twice-born classes are the sacerdotal, 'the military, and the commercial; but the fourth, or 'servile, is once-born, *that is, has no second birth* '*from the* gáyatrí, *and wears no thread:* nor is there 'a fifth pure class.

5. 'In all classes they, and they only, who are 'born, in a direct order, of wives equal in class and 'virgins at the time of marriage, are to be considered 'as the same in class *with their fathers:*

6. 'Sons, begotten by twice-born men, on women 'of

'of the class next immediately below them, wise legislators call similar, *not the same,* in class *with their parents,* because they are degraded, *to a middle rank between both,* by the lowness of their mothers: *they are named in order,* Múrdhábhishicta, Máhishya, *and* Carana, *or* Cáyast'ha; *and their several employments are teaching military exercises; musick, astronomy, and keeping herds; and attendance on princes.*

7. 'Such is the primeval rule for the sons of women one degree lower *than their husbands:* for the sons of women two or three degrees lower, let this rule of law be known.

8. 'From a *Bráhmen,* on a wife of the *Vaisya*-class, is born a son called *Ambasht'ha,* or *Vaidya,* on a *Súdrà*-wife a *Nisháda,* named also *Párasava:*

9. 'From a *Cshatriya,* on a wife of the *Súdra*-class, springs a creature, called *Ugra,* with a nature partly warlike and partly servile, ferocious in his manners, cruel in his acts.

10. 'The sons of a *Bráhmen* by *women of* three *lower* classes, of a *Cshatriya* by *women of* two, and of a *Vaisya* by one *lower* class, are called *Apasadáh,* or degraded *below their fathers.*

11. 'From a *Cshatriya,* by a *Bráhmenì*-wife, springs a *Súta* by birth; from a *Vaisya,* by a military or sacerdotal wife, spring a *Mágadha* and a *Vaidéha.*

12. 'From a *Súdra,* on women of the commercial,

'military,

CHAP. X. ' military, and priestly classes, are born sons of a ' mixed breed, called *Áyógava*, *Cshattri*, and *Chan-* ' *dála*, the lowest of mortals.

13. ' As the *Ambasht'ha* and *Ugra*, born in a di- ' rect order, with one class between *those of their* ' *parents*, are considered in law, so are the *Cshattri*, ' and the *Vaidéha*, born in an inverse order *with one* ' *intermediate class; and all four may be touched with-* ' *out impurity.*

14. ' Those sons of the twice-born, who are begot- ' ten on women without an interval *(Antara)* between ' the classes mentioned in order, the wise call *Anan-* ' *taras*, giving them a *distinct* name from the lower ' degree of their mothers.

15. ' From a *Bráhmen*, by a girl of the *Ugra*-tribe, ' is born an *Ávrita;* by one of the *Ambast'ha*-tribe, ' an *Ábhíra;* by one of the *Áyógava*-tribe, a *Dhig-* ' *vana.*

16. ' The *Ayógava*, the *Cshattri*, and the *Chandála*, ' the lowest of men, spring from a *Súdra* in an in- ' verse order *of the classes*, and are *therefore*, all three ' excluded *from the performance of obsequies to their* ' *ancestors:*

17. ' From a *Vaisya* the *Mágadha* and *Vaidéha*, ' from a *Cshatriya* the *Súta* only, are born in an in- ' verse order; and they are three other sons excluded ' *from funeral rites to their fathers.*

18. ' The son of a *Nisháda* by a woman of the

' *Súdra-*

'*Súdra*-class, is by tribe a *Puccasa;* but the son of 'a *Súdra* by a *Nishádì*-woman, is named *Cuccutaca.* CHAP. X.

19. 'One, born of a *Cshattrì* by an *Ugrá*, is called '*Swapáca;* and one, begotten by a *Vaidéha* on an '*Ambashthì*-wife, is called *Véna.*

20. 'Those, whom the twice-born beget on women 'of equal classes, but who perform not the proper 'ceremonies *of assuming the thread, and the like,* 'people denominate *Vrátyas,* or excluded from the '*gáyatrì.*

21. 'From such an outcast *Bráhmen* springs a son 'of a sinful nature, *who in different countries is* 'named a *Bhúrjacantaca,* an *A'vantya,* a *Vátadhána,* 'a *Pushpadha* and a *Saic'ha:*

22. 'From such an outcast *Cshatriya* comes a son 'called a *J'halla,* a *Malla,* a *Nich'hivi,* a *Nata,* a '*Carana,* a *C'hasa,* and a *Dravira:*

23. 'From such an outcast *Vaisya* is born a son 'called *Sudhanwan, Chárya, Cárusha, Vijanman, Mai-*'*tra,* and *Sátwata.*

24. 'By intermixtures of the classes, by their mar-'riages with women who ought not to be married, 'and by their omission of prescribed duties, impure 'classes have been formed.

25. 'Those men of mingled births, who were born 'in the inverse order of classes, and who intermarry 'among themselves, I will now compendiously de-'scribe.

26. 'The

CHAP. X.

26. 'The *Súta*, the *Vaidéha*, and the *Chandála*, 'that lowest of mortals, the *Mágadha*, the *Cshattri* 'by tribe, and the *Áyógava*.

27. 'These six beget similar sons on women of 'their own classes, or on women of the same class 'with their mothers; and they produce the like from 'women of the two highest classes, *and of the low-* '*est*:

28. 'As a twice-born son may spring from a '*Bráhmen* by women of two classes out of three, *a* '*similar son*, when there is no interval, and *an equal* '*son* from a woman of his own class, it is thus in 'the case of the low tribes in order.

29. 'Those six beget, on women of their own tribes, 'reciprocally, very many despicable and abject races 'even more foul than their begetters.

30. 'Even as a *Súdra* begets, on a *Bráhmenì*-wo- 'man, a son more vile than himself, thus any other 'low man begets, on *women of* the four classes, a 'son yet lower.

31. 'The six low classes, marrying inversely, beget 'fifteen yet lower tribes, the base producing still 'baser; *and in a direct order they produce fifteen more.*

32. 'A *Dasyu*, or outcast of any pure class, begets 'on an *Áyógavì*-woman a *Sairindhra*, who should 'know how to attend and to dress his master; though 'not a slave, he must live by slavish work, and

'may

‘ may also gain subsistence by catching wild beasts ‘ in toils : CHAP. X.

33. ‘ A *Vaidéha* begets on her a sweet-voiced *Mai-* ‘ *tréyaca,* who, ringing a bell at the appearance of ‘ dawn, continually praises great men :

34. ‘ A *Nisháda* begets on her a *Márgava*, or *Dása*, ‘ who subsists by his labour in boats, and is named ‘ *Caiverta* by those, who dwell in *A'ryáverta*, *or the* ‘ *land of the venerable.*

35. ‘ Those three of a base tribe are severally be- ‘ gotten on *Ayógavì*-women, who wear the clothes of ‘ the deceased and eat reprehensible food.

36. ‘ From a *Nisháda* springs *by a woman of the* ‘ Vaidéha-*tribe,* a *Cárávara,* who cuts leather, and ‘ from a *Vaidéha* spring *by women of* the Cárávara ‘ *and* Nisháda-*casts,* an *Andhra* and a *Méda,* who ‘ must live without the town.

37. ‘ From a *Chandála* by a *Vaidéhì*-woman, comes ‘ a *Pándusópáca,* who works with cane and reeds ; ‘ and from a *Nisháda,* an *Ahindica, who acts as a* ‘ *jailor.*

38. ‘ From a *Chandála,* by a *Puccasì*-woman, is ‘ born a *Sópáca,* who lives by punishing criminals ‘ *condemned by the king,* a sinful wretch ever de- ‘ spised by the virtuous.

39. ‘ A *Nisháдì*-woman, by a *Chandála,* produces a ‘ son called *Antyávasáyin,* employed in places for

CHAP. X.

'burning the dead, contemned even by the contemptible.

40. 'These, among various mixed classes, have been 'described by their several fathers and mothers; and, 'whether concealed or open, they may be known by 'their occupations.

41. 'Six sons, *three* begotten on women of the 'same class, and *three* on women of lower classes, 'must perform the duties of twice-born men; but 'those, who are *born in an inverse order, and* called 'low-born, are equal, in respect of duty, to mere '*Súdras*.

42. 'By the force of extreme devotion and of 'exalted fathers, all of them may rise *in time* to 'high birth, as *by the reverse* they may sink to a 'lower state, in every age among mortals in this inferiour world.

43. 'The following races of *Cshatriyas*, by their 'omission of holy rites and by seeing no *Bráhmens*, 'have gradually sunk among men, to the lowest of 'the four classes:

44. '*Paund'racas, Odras*, and *Draviras; Cámbójus*, '*Yavanas*, and *Sacas; Páradas, Pahlavas, Chínas, Cirátas, Deradas*, and *C'hasas;*

45. 'All those tribes of men, who sprang from the 'mouth, the arm, the thigh, and the foot of Brahma', *but* who became outcasts *by having neglected* '*their*

'*their duties*, are called *Dasyus*, or *plunderers*, whether 'they speak the language of *Mléchch'has*, or that of '*Áryas*. CHAP. X.

46. 'Those sons of the twice-born, who are said 'to be degraded, and who are considered as low-born, 'shall subsist only by such employments, as the twice-'born despise.

47. '*Sútas* must live by managing horses and 'by driving cars; *Ambasht'has*, by curing disorders; '*Vaidéhas*, by waiting on women; *Mágadhas*, by tra-'velling with merchandize;

48. '*Nishádas*, by catching fish; an *Ayógava*, by 'the work of a carpenter; a *Méda*, an *Andhra*, and '(the sons of a *Bráhmen* by wives of the *Vaidéha* 'and *Ugra*-classes, respectively called) a *Chunchu* 'and a *Madgu*, by slaying beasts of the forest;

49. 'A *Cshattrĭ*, an *Ugra*, and a *Puccasa*, by kil-'ling or confining such animals as live in holes: '*Dhigvanas*, by selling leather; *Vénas*, by striking 'musical instruments:

50. 'Near large publick trees, in places for burning 'the dead, on mountains, and in groves, let those 'tribes dwell, generally known, and engaged in their 'several works.

51. 'The abode of a *Chandála* and a *Swapáca* must 'be out of the town; they must not have the use 'of entire vessels; their sole wealth must be dogs 'and asses:

CHAP. X.

52. 'Their clothes must be the mantles of the deceased; their dishes for food, broken pots; their 'ornaments, rusty iron; continually must they roam 'from place to place:

53. 'Let no man, who regards his duty religious 'and civil, hold any intercourse with them; let their 'transactions be confined to themselves, and their 'marriages only between equals:

54. 'Let food be given to them in potsherds, *but* '*not by the hands of the giver;* and let them not 'walk by night in cities or towns:

55. 'By day they may walk about for the purpose 'of work, distinguished by the king's badges; and 'they shall carry out the corpse of every one, who 'dies without kindred: such is the fixed rule.

56. 'They shall always kill those, who are to be 'slain by the sentence of the law, and by the royal 'warrant; and let them take the clothes of the slain, 'their beds, and their ornaments.

57. 'HIM, who was born of a sinful mother, *and* '*consequently* in a low class, but is not openly known, 'who, though worthless in truth, bears the semblance 'of a worthy man, let people discover by his acts:

58. 'Want of virtuous dignity, harshness of speech, 'cruelty, and habitual neglect of prescribed duties, 'betray in this world the son of a criminal mother.

59. 'Whether a man of debased birth assume the

'character

'character of his father or of his mother, he can at no time conceal his origin: CHAP. X.

60. 'He, whose family had been exalted, but whose 'parents were criminal in marrying, has a base nature, 'according as the offence *of his mother* was great or 'small.

61. 'In whatever country such men are born, as 'destroy the purity of the four classes, that country 'soon perishes, together with the natives of it.

62. 'Desertion of life, without reward, for the sake 'of preserving a priest or a cow, a woman or a 'child, may cause the beatitude of those base-born 'tribes.

63. 'Avoiding all injury *to animated beings*, veracity, 'abstaining from theft, *and from unjust seizure of* '*property*, cleanliness, and command over the bodily 'organs, form the compendious system of duty, which 'MENU has ordained for the four classes.

64. 'SHOULD the tribe sprung from a *Bráhmen*, by 'a *Súdrà*-woman, produce *a succession of children* by 'the marriages of its women with other *Bráhmens*, 'the low tribe shall be raised to the highest in the 'seventh generation.

65. 'As *the son of a Súdra* may *thus* attain the 'rank of a *Bráhmen*, and *as the son of* a *Bráhmen* 'may sink to a level with *Súdras*, even so must it 'be with him, who springs from a *Cshatriya;* even so 'with him, who was born of a *Vaisya*.

66. 'IF

CHAP. X.

66. 'If there be a doubt, as to the preference 'between him, who was begotten by a *Bráhmen* for 'his pleasure, *but not in wedlock*, on a *Súdrà*-woman, 'and him who was begotten by a *Súdra* on a *Bráhmenì*,

67. '*Thus is it removed:* he, who was begotten by 'an exalted man on a base woman, may by his 'good acts become respectable; but he, who was 'begotten on an exalted woman by a base man, 'must himself continue base:

68. 'Neither of the two (as the law is fixed) shall 'be girt with a sacred string; not the former, be-'cause his mother was low; nor the second, because 'the order of the classes was inverted.

69. 'As good grain, springing from good soil, is 'in all respects excellent, thus a man, springing from 'a respectable father by a respectable mother, has 'a claim to the whole institution of the twice-born.

70. 'Some sages give a preference to the grain; 'others to the field; and others consider both field 'and grain; on this point the decision follows:

71. 'Grain, cast into bad ground, wholly perishes, 'and a good field, with no grain sown in it, is a 'mere heap of clods;

72. 'But since, by the virtue of eminent fathers, 'even the sons of wild animals, *as* Rĭshyasrĭnga, '*and others*, have been transformed into holy men 'revered and extolled, the paternal side, therefore, 'prevails.

73. 'Brahma'

73. ‘ Brahma´ himself, having compared a *Súdra*, ‘ who performs the duties of the twice-born, with a ‘ twice-born man, who does the acts of a *Súdra*, ‘ said: “ Those two are neither equal nor unequal,” ‘ *that is, they are neither equal in rank, nor unequal* ‘ *in bad conduct.*

74. ‘ Let such *Bráhmens* as are intent on the means ‘ of attaining the supreme godhead, and firm in their ‘ own duties, completely perform, in order, the six ‘ following acts:

75. ‘ Reading the *Védas*, and teaching *others* to ‘ read them, sacrificing, and assisting *others* to sa- ‘ crifice, giving *to the poor, if themselves have enough*, ‘ and accepting *gifts from the virtuous if themselves* ‘ *are poor*, are the six prescribed acts of the first- ‘ born class;

76. ‘ But, among those six acts of a *Bráhmen*, ‘ three are his *means of* subsistence; assisting to sa- ‘ crifice, teaching the *Védas*, and receiving gifts from ‘ a pure-handed giver.

77. ‘ Three acts of duty cease with the *Bráhmen*, ‘ and belong not to the *Cshatriya;* teaching the *Védas*, ‘ officiating at a sacrifice, and, thirdly, receiving pre- ‘ sents:

78. ‘ Those *three* are also (by the fixed rule of law) ‘ forbidden to the *Vaisya;* since Menu, the lord of ‘ all men, prescribed not those acts to the two *classes*, ‘ *military and commercial.*

79. ‘ The

CHAP. X.

79. 'The means of subsistence, peculiar to the '*Cshatriya*, are bearing arms, either held for striking 'or missile, to the *Vaisya*, merchandize, attending on 'cattle, and agriculture: but, *with a view to the next* '*life*, the duties of both are almsgiving, reading, 'sacrificing.

80. 'Among the several occupations *for gaining a* '*livelihood* the most commendable respectively for 'the sacerdotal, military, and mercantile classes, are 'teaching the *Véda*, defending the people, and com-'merce or keeping herds and flocks.

81. 'Yet a *Bráhmen*, unable to subsist by his duties 'just mentioned, may live by the duty of a soldier; 'for that is the next in rank.

82. 'If it be asked, how he must live, should he 'be unable to get a subsistence by either of those 'employments; *the answer is*, he may subsist as a 'mercantile man, applying himself *in person* to tillage 'and attendance on cattle:

83. 'But a *Bráhmen* and a *Cshatriya*, obliged to 'subsist by the acts of a *Vaisya*, must avoid with 'care, *if they can live by keeping herds*, the busi-'ness of tillage, which gives great pain *to sentient* '*creatures*, and is dependant on *the labour of* others, '*as bulls and so forth*.

84. 'Some are of opinion, that agriculture is excel-'lent; but it is a mode of subsistence which the 'benevolent greatly blame; for the iron-mouthed

'pieces

'pieces of wood not only wound the earth, but the 'creatures dwelling in it. CHAP. X.

85. 'If, through want of a virtuous livelihood, they 'cannot follow laudable occupations, they may then 'gain a competence of wealth by selling commodities 'usually sold by merchants, avoiding what ought to 'be avoided:

86. 'They must avoid selling liquids of all sorts, 'dressed grain, seeds of *tila*, stones, salt, cattle, and 'human creatures;

87. 'All woven cloth dyed red, cloth made of *sana*, 'of *cshumá*-bark, and of wool, even though not red; 'fruit, roots, and medicinal plants;

88. 'Water, iron, poison, flesh-meat, the moon-'plant, and perfumes of any sort; milk, honey, butter-'milk, clarified butter, oil of *tila*, wax, sugar, and 'blades of *cus'a*-grass;

89. 'All beasts of the forest, *as deer and the like;* 'ravenous beasts, birds, *and fish;* spirituous liquors, '*níli*, or indigo, and *lácshá*, or lac; and all beasts 'with uncloven hoofs.

90. 'But the *Bráhmen*-husbandman may at pleasure 'sell pure *tila*-seeds for the purpose of holy rites, 'if he keep them not long *with a hope of more gain*, 'and shall have produced them by his own culture:

91. 'If he apply seeds of *tila* to any purpose but 'food, anointing, and sacred oblations, he shall be

CHAP. X. ‘ plunged, in the shape of a worm, together with his ‘ parents, into the ordure of dogs.

92. ‘ By selling flesh-meat, *lácshá*, or salt, a *Bráhmen* immediately sinks low; by selling milk three ‘ days, he falls to a level with a *Súdra;*

93. ‘ And by selling the other forbidden commo-‘ dities with his own free will, he assumes in this ‘ world, after seven nights, the nature of a mere ‘ *Vaisya.*

94. ‘ Fluid things may, however, be bartered for ‘ other fluids, but not salt for any thing liquid; so ‘ may dressed grain for grain undressed, and *tila*-seeds ‘ for grain in the husk, equal weights or measures ‘ being given and taken.

95. ‘ A MILITÁRY man, in distress, may subsist by ‘ all these means, but at no time must he have re-‘ course to the highest, *or sacerdotal,* function.

96. ‘ A man of the lowest class, who, through ‘ covetousness, lives by the acts of the highest, let ‘ the king strip of all his wealth and instantly banish:

97. ‘ His own office, though defectively performed, ‘ is preferable to that of another, though performed ‘ completely; for he, who *without necessity* discharges ‘ the duties of another class, immediately forfeits his ‘ own.

98. ‘ A MERCANTILE man, unable to subsist by his ‘ own duties, may descend even to the servile acts ‘ of

'of a *Súdra*, taking care never to do what ought 'never to be done; but, when he has gained a com- 'petence, let him depart from service. CHAP. X.

99. 'A MAN of the fourth class, not finding em- 'ployment by waiting on the twice-born, while his 'wife and son are tormented with hunger, may sub- 'sist by handicrafts:

100. 'Let him principally follow those mechanical 'occupations, *as joinery and masonry*, or those various 'practical arts, *as painting and writing*, by following 'which, he may serve the twice-born.

101. 'SHOULD a *Bráhmen*, afflicted and pining 'through want of food, choose rather to remain 'fixed in the path of his own duty, than to adopt 'the practice of *Vaisyas*, let him act in this manner:

102. 'The *Bráhmen*, having fallen into distress, 'may receive gifts from any person whatever; for by 'no sacred rule can it be shown, that absolute 'purity can be sullied.

103. 'From interpreting the *Véda*, from officiating 'at sacrifices, or from taking presents, though in 'modes generally disapproved, no sin is committed 'by priests *in distress;* for they are as pure as fire 'or water.

104. 'He, who receives food, when his life could 'not otherwise be sustained, from any man whatever, 'is no more tainted by sin, than the subtil ether by 'mud:

CHAP. X.

105. ‘ AJI'GARTA, dying with hunger, was going to ‘ destroy his own son (*named* SU'NAH-S'E'P'HA) *by selling* ‘ *him for some cattle;* yet he was guilty of no crime, ‘ since he only sought a remedy against famishing:

106. ‘ VA'MADE'VA, who well knew right and wrong, ‘ was by no means rendered impure, though desirous, ‘ when oppressed *with hunger*, of eating the flesh of ‘ dogs for the preservation of his life:

107. ‘ BHARADWA'JA, eminent in devotion, when he ‘ and his son were almost starved in a dreary forest, ‘ accepted several cows from the carpenter VRIDHU:

108. ‘ VISWA'MITRA too, than whom none better ‘ knew the distinctions between virtue and vice, re- ‘ solved, when he was perishing with hunger, to eat ‘ the haunch of a dog, which he had received from ‘ a *Chandála*.

109. ‘ Among *the* acts *generally disapproved, namely*, ‘ accepting presents *from low men*, assisting *them* to ‘ sacrifice, and explaining the scripture *to them*, the ‘ receipt of presents is the meanest *in this world*, and ‘ the most blamed in a *Bráhmen* after his present ‘ life;

110. ‘ Because assisting to sacrifice and explaining ‘ the scripture are two acts always performed for ‘ those, whose minds have been improved *by the* ‘ *sacred initiation;* but gifts are also received from a ‘ servile man of the lowest class.

111. ‘ The

111. ‘ The guilt, incurred by assisting *low men* to ‘ sacrifice and by teaching *them* the scripture, is re- ‘ moved by repetitions of the *gáyatrì* and oblations to ‘ fire; but that, incurred by accepting gifts *from them*, ‘ is expiated only by abandoning the gifts and by ‘ rigorous devotion. CHAP. X.

112. ‘ It were better for a *Bráhmen*, who could not ‘ maintain himself, to glean ears and grains after har- ‘ vest from *the field of* any person whatever: gleaning ‘ whole ears would be better than accepting a present, ‘ and picking up single grains would be still more ‘ laudable.

113. ‘ *Bráhmens*, who keep house, and are in want ‘ of any metals *except gold and silver*, or of other arti- ‘ cles *for good uses*, may ask the king for them, if he ‘ be of the military class; but a king, *known to be ava-* ‘ *ricious and* unwilling to give, must not be solicited.

114. ‘ The foremost, *in order*, of these things may ‘ be received more innocently than that, which follows ‘ it: a field untilled, a tilled field, cows, goats, sheep, ‘ precious metals or gems, new grain, dressed grain.

115. ‘ There are seven virtuous means of acquiring ‘ property; succession, occupancy or donation, and ‘ purchase or exchange, *which are allowed to all* ‘ *classes;* conquest, *which is peculiar to the military* ‘ *class;* lending at interest, husbandry or commerce, ‘ *which belong to the mercantile class;* and acceptance ‘ of presents, *by the sacerdotal class*, from respectable ‘ men.

116. ‘ Learning,

CHAP. X.

116. 'Learning, *except that contained in the scrip-* '*tures*, art, *as mixing perfumes and the like*, work for 'wages, menial service, attendance on cattle, traffick, 'agriculture, content with little, alms, and receiving 'high interest on money, are ten modes of subsis- 'tence *in times of distress*.

117. 'Neither a priest nor a military man, *though* '*distressed*, must receive interest on loans, but each 'of them, if he please, may pay *the* small interest '*permitted by law, on borrowing* for some pious use, 'to the sinful man, *who demands it*.

118. 'A MILITARY king, who takes even a fourth 'part *of the crops of his realm* at a time of urgent 'necessity, *as of war or invasion*, and protects his 'people to the utmost of his power, commits no 'sin:

119. 'His peculiar duty is conquest, and he must 'not recede from battle; so that, while he defends 'by his arms the merchant and husbandman, he may 'levy the legal tax *as the price of protection*.

120. 'The tax on the mercantile class, *which in* '*times of prosperity must be only a twelfth part of* '*their crops, and a fiftieth of their personal profits*, 'may be an eighth of their crops *in a time of dis-* '*tress, or a sixth, which is the medium, or even a* '*fourth in great publick adversity;* but a twentieth 'of their *gains on* money, and other moveables, is the 'highest *tax:* serving men, artisans, and mechanicks 'must assist by their labour, *but at no time pay taxes*.

121. 'IF

121. 'If a *Súdra* want a subsistence *and cannot* 'attend a priest, he may serve a *Cshatriya;* or, *if he* 'cannot wait on a soldier by birth, he may gain his 'livelihood by serving an opulent *Vaisya.*

122. 'To him, who serves *Bráhmens* with a view 'to a heavenly reward, or even with a view to both '*this life and the next,* the union of the word *Bráh*'*men* with his *name of servant* will assuredly bring 'success.

123. 'Attendance on *Bráhmens* is pronounced the 'best work of a *Súdra:* whatever else he may per'form will comparatively avail him nothing.

124. 'They must allot him a fit maintenance ac'cording to their own circumstances, after considering 'his ability, his exertions, and the number of those, 'whom he must provide with nourishment:

125. 'What remains of their dressed rice must be 'given to him; and apparel which they have worn, 'and the refuse of their grain, and their old house'hold furniture.

126. 'There is no guilt in a man of the servile 'class *who eats leeks and other forbidden vegetables:* 'he must not have the sacred investiture: he has no 'business with *the* duty *of making oblations to fire* '*and the like;* but there is no prohibition against *his* '*offering dressed grain as a sacrifice, by way of dis*'*charging* his own duty.

127. 'Even *Súdras,* who are anxious to perform

'their

CHAP. X. 'their entire duty, and, knowing what they should 'perform, imitate the practice of good men *in the 'household sacraments,* but without any holy text, *ex-'cept those containing praise and salutation,* are so 'far from sinning, that they acquire just applause:

128. 'As a *Súdra,* without injuring another man, 'performs the *lawful* acts of the twice-born, even 'thus, without being censured, he gains exaltation in 'this world and in the next.

129. 'No *superfluous* collection of wealth must be 'made by a *Súdra,* even though he has power *to 'make it,* since a servile man, who has amassed 'riches, *becomes proud, and, by his insolence or neglect,* 'gives pain even to *Bráhmens.*

130. 'SUCH, as have been fully declared, are the 'several duties of the four classes in distress for sub-'sistence; and, if they perform them exactly, they 'shall attain the highest beatitude.

131. 'Thus has been propounded the system of 'duties, religious and civil, ordained for all classes: 'I next will declare the pure law of expiation for 'sin.'

CHAP. XI.

On Penance and Expiation.

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1. 'Him, who intends to marry for the sake of 'having issue; him, who wishes to make a sacrifice; 'him, who travels; him, who has given all his wealth 'at a sacred rite; him, who desires to maintain his 'preceptor, his father, or his mother; him, who 'needs a maintenance for himself, when he first reads 'the *Védas;* and him, who is afflicted with illness; CHAP. XI.

2. 'These nine *Bráhmens* let mankind consider as 'virtuous mendicants, called *snátacas;* and, to relieve 'their wants, let gifts *of cattle or gold* be presented 'to them in proportion to their learning:

3. 'To these most excellent *Bráhmens* must rice 'also be given, with holy presents *at oblations to* '*fire and within the consecrated circle;* but the dressed 'rice, which others are to receive, must be delivered 'on the outside of the sacred hearth: *gold and the* '*like may be given any where.*

4. 'On such *Bráhmens* as well know the *Véda,* let 'the king bestow, as it becomes him, jewels of all 'sorts, and the solemn reward for officiating at the 'sacrifice.

5. 'He, who has a wife, and, having begged mo-

CHAP. XI.

'ney *to defray his nuptial expences,* marries another 'woman, shall have no advantage but sensual enjoy-'ment: the offspring belongs to the bestower of the 'gift.

6. 'Let every man, according to his ability, give 'wealth to *Bráhmens* detached from the world and 'learned in scripture: such a giver shall attain hea-'ven after this life.

7. 'He alone is worthy to drink the juice of the 'moon-plant, who keeps a provision of grain suf-'ficient to supply those, whom the law commands 'him to nourish, for the term of three years or 'more;

8. 'But a twice-born man, who keeps a less provi-'sion of grain, yet presumes to taste the juice of the 'moon-plant, shall gather no fruit from that sacra-'ment, even though he taste it at the first, *or so-'lemn, much less at any occasional,* ceremony.

9. 'He, who bestows gifts on strangers, *with a 'view to worldly fame,* while he suffers his family to 'live in distress, though he has power *to support 'them,* touches his lips with honey, but swallows poi-'son; such virtue is counterfeit:

10. 'Even what he does for the sake of his future 'spiritual body, to the injury of those, whom he is 'bound to maintain, shall bring him ultimate misery 'both in this life and in the next.

11. 'Should a sacrifice, performed by any twice-'born

' born sacrificer, and by a *Bráhmen* especially, be ' imperfect from the want of some ingredient, during ' the reign of a prince, who knows the law,

12. ' Let him take that article, for the completion ' of the sacrifice, from the house of any *Vaisya*, who ' possesses considerable herds, but neither sacrifices, ' nor drinks the juice of the moon-plant:

13. ' If such a *Vaisya* be not near, he may take ' two or three such necessary articles at pleasure ' from the house of a *Súdra;* since a *Súdra* has no ' business with solemn rites.

14. ' Even from the house of a *Bráhmen* or a *Csha-* ' *triya*, who possesses a hundred cows, but has no ' consecrated fire, or a thousand cows, but performs ' no sacrifice *with the moon-plant*, let a priest with- ' out scruple take *the articles wanted.*

15. ' From another *Bráhmen*, who continually re- ' ceives presents but never gives, let him take such ' ingredients of the sacrifice, if not bestowed *on re-* ' *quest:* so shall his fame be spread abroad, and his ' habits of virtue increase.

16. ' Thus, likewise, may a *Bráhmen*, who has not ' eaten at the time of six meals, *or has fasted three* ' *whole days*, take at the time of the seventh meal, ' *or on the fourth morning*, from the man, who behaves ' basely *by not offering him food*, enough to supply ' him till the morrow:

17. ' He may take it from the floor, where the grain

 ' is

CHAP. XI.

'is trodden out of the husk, or from the field, or 'from the house, or from any place whatever; but, 'if the owner ask *why he takes it,* the cause of the 'taking must be declared.

18. 'The wealth of a virtuous *Bráhmen* must at no 'time be seized by a *Cshatriya;* but, having no other 'means *to complete a sacrifice,* he may take the 'goods of any man, who acts wickedly, and of any, 'who performs not his religious duties:

19. 'He, who takes property from the bad *for the 'purpose before-mentioned,* and bestows it on the good, 'transforms himself into a boat, and carries both *the 'good and the bad* over *a sea of calamities.*

20. 'Wealth, possessed by men for the performance 'of sacrifices, the wise call the property of the 'gods; but the wealth of men, who perform no 'sacrifice, they consider as the property of demons.

21. 'Let no pious king fine the man, *who takes by 'stealth or by force what he wants to make a sa-'crifice perfect;* since it is the king's folly, that 'causes the hunger or wants of a *Bráhmen:*

22. 'Having reckoned up the persons, whom the '*Bráhmen* is obliged to support, having ascertained 'his divine knowledge and moral conduct, let the 'king allow him a suitable maintenance from his 'own household;

23. 'And, having appointed him a maintenance, let 'the king protect him on all sides; for he gains

'from

' from the *Bráhmen* whom he protects, a sixth part ' of *the reward for* his virtue. CHAP. XI.

24. ' Let no *Bráhmen* ever beg a gift from a *Súdra;* ' for, if he perform a sacrifice after such begging, ' he shall, in the next life, be born a *Chandála.*

25. ' The *Bráhmen* who begs any articles for a ' sacrifice, and disposes not of them all for that ' purpose, shall become a kite or a crow for a hun-' dred years.

26. ' Any evil-hearted wretch, who, through cove-' tousness, shall seize the property of the gods or ' of *Bráhmens,* shall feed in another world on the ' orts of vultures.

27. ' The sacrifice *Vaiswánarí* must be constantly ' performed on the first day of the new year, or on ' the new moon of *Chaitra,* as an expiation for hav-' ing omitted, *through mere forgetfulness,* the ap-' pointed sacrifices of cattle and the rites of the ' moon-plant:

28. ' But a twice-born man, who, without necessity, ' does an act allowed only in a case of necessity, ' reaps no fruit from it hereafter: thus has it been ' decided.

29. ' By the *Viswédévas,* by the *Sádhyas,* and by ' eminent *Rishis* of the sacerdotal class, the substitute ' was adopted for the principal act, when they were ' apprehensive of dying in times of imminent peril;

30. ' But no reward is prepared in a future state

' for

CHAP. XI. 'for that ill-minded man, who, when able to perform 'the principal sacrifice, has recourse to the substitute.

31. 'A PRIEST, who well knows the law, needs not 'complain to the king of any grievous injury; since, 'even by his own power, he may chastise those, who 'injure him:

32. 'His own power, *which depends on himself alone*, 'is mightier than the royal power, *which depends on* '*other men:* by his own might, therefore, may a '*Bráhmen* coerce his foes.

33. 'He may use, without hesitation, the power-'ful charms revealed to AT'HARVAN, and *by him* to 'ANGIRAS; for speech is the weapon of a *Bráhmen:* 'with that he may destroy his oppressors.

34. 'A soldier may avert danger from himself by 'the strength of his arm; a merchant and a me-'chanick, by their property; but the chief of the 'twice-born, by holy texts and oblations to fire.

35. 'A priest, who performs his duties, who justly 'corrects *his children and pupils*, who advises expia-'tions for sin, and who loves all animated creatures, 'is truly called a *Bráhmen:* to him let no man say 'any thing unpropitious, nor use any offensive lan-'guage.

36. 'Let not a girl, nor a young woman *married* '*or unmarried*, nor a man with little learning, nor a 'dunce, perform an oblation to fire; nor a man dis-'eased, nor one uninvested *with the sacrificial string;*

37. 'Since

37. ' Since any of those persons, who make such ' an oblation, shall fall into a region of torture, to- ' gether with him, who suffers his hearth to be used: ' he alone, who perfectly knows the sacred ordinances, ' and has read all the *Védas*, must officiate at an ' oblation to holy fire.

38. ' A *Bráhmen* with abundant wealth, who presents ' not the priest, that hallows his fire, with a horse ' consecrated to PRAJA'PATI, becomes equal to one ' who has no fire hallowed.

39. ' Let him, who believes the scripture, and keeps ' his organs in subjection, perform all other pious ' acts; but never in this world let him offer a sa- ' crifice with trifling gifts to the officiating priest:

40. ' The organs of sense and action, reputation *in* ' *this life*, a heavenly mansion *in the next*, life *itself*, ' a great name *after death*, children *and* cattle, are ' all destroyed by a sacrifice offered with trifling ' presents: let no man, therefore, sacrifice without ' liberal gifts.

41. ' THE priest, who keeps a sacred hearth, but ' voluntarily neglects *the morning and evening obla-* ' *tions to* his fires, must perform, *in the manner to* ' *be described*, the penance *chándráyana* for one month; ' since that *neglect* is equally sinful with the slaughter ' of a son.

42. ' They, who receive property from a *Súdra* for ' the performance of rites to consecrated fire, are con-

' temned,

CHAP. XI. ‘temned, as ministers of the base, by all such as ‘pronounce texts of the *Véda:*

43. ‘Of those ignorant priests, who serve the holy ‘fire for the wealth of a *Súdra*, the giver shall always ‘tread on the foreheads, and thus pass over miseries ‘*in the gloom of death.*

44. ‘Every man, who does not an act prescribed, ‘or does an act forbidden, or is guilty of excess, ‘*even* in *legal* gratifications of the senses, must per-‘form an expiatory penance.

45. ‘Some of the learned consider an expiation as ‘confined to involuntary sin; but others, from the ‘evidence of the *Véda*, hold it effectual even in the ‘case of a voluntary offence:

46. ‘A sin, involuntarily committed, is removed by ‘repeating certain texts of the scripture; but a sin ‘committed intentionally, through strange infatuation, ‘by harsh penances of different sorts.

47. ‘If a twice-born man, by the will of God in ‘this world, or from his natural birth, have any cor-‘poreal mark of an expiable sin committed in this or ‘a former state, he must hold no intercourse with ‘the virtuous, while his penance remains unperformed.

48. ‘Some evil-minded persons, for sins committed ‘in this life, and some for bad actions in a preced-‘ing state, suffer a morbid change in their bodies:

49. ‘A stealer of gold *from a Bráhmen* has whit-

‘lows

'lows on his nails; a drinker of spirits, black teeth; 'the slayer of a *Bráhmen*, a marasmus; the violator 'of his *guru's* bed, a deformity in the generative 'organs;

50. 'A malignant informer, fetid ulcers in his nos-'trils; a false detractor, stinking breath; a stealer of 'grain, the defect of some limb; a mixer *of bad* '*wares with good*, some redundant member;

51. 'A stealer of dressed grain, dyspepsia; a stealer 'of holy words, *or an unauthorized reader of the scrip*-'*tures*, dumbness; a stealer of clothes, leprosy; a 'horse-stealer, lameness;

52. 'The stealer of a lamp, total blindness; the 'mischievous extinguisher of it, blindness in one eye; 'a delighter in hurting sentient creatures, perpetual 'illness; an adulterer, windy swellings in his limbs:

53. 'Thus, according to the diversity of actions, 'are born men despised by the good, stupid, dumb, 'blind, deaf, and deformed.

54. 'Penance, therefore, must invariably be per-'formed for the sake of expiation; since they, who 'have not expiated their sins, will again spring to 'birth with disgraceful marks.

55. 'Killing a *Bráhmen*, drinking forbidden liquor, 'stealing *gold from a priest*, adultery with the wife 'of a father, *natural or spiritual*, and associating with 'such as commit those offences, wise legislators must 'declare to be crimes in the highest degree, *in re*-

CHAP. XI. '*spect of those after mentioned, but less than incest in* '*a direct line, and some others.*

56. 'False boasting of a high tribe, malignant in-'formation, before the king, *of a criminal who must* '*suffer death*, and falsely accusing a spiritual precep-'tor, are crimes *in the second degree, and nearly* 'equal to killing a *Bráhmen.*

57. 'Forgetting the texts of scripture, showing con-'tempt of the *Véda*, giving false evidence *without a* '*bad motive*, killing a friend *without malice*, eating 'things prohibited, or, *from their manifest impurity*, 'unfit to be tasted, are six crimes nearly equal to 'drinking spirits; *but perjury and homicide require in* '*atrocious cases the harshest expiation.*

58. 'To appropriate a thing deposited *or lent for a* '*time*, a human creature, a horse, precious metals, a 'field, a diamond, or any other gem, is nearly equal 'to stealing *the* gold *of a* Bráhmen.

59. 'Carnal commerce with sisters by the same 'mother, with little girls, with women of the lowest 'mixed class, or with the wives of a friend or of a 'son, the wise must consider as nearly equal to a 'violation of the paternal bed.

60. 'Slaying a bull or cow, sacrificing what ought 'not to be sacrificed, adultery, selling oneself, de-'serting a preceptor, a mother, a father, or a son, 'omitting to read the scripture, and neglect of the 'fires *prescribed by the* Dhermasástra *only.*

61. 'The

61. 'The marriage of a younger brother before the 'elder, and that elder's omission to marry before the 'younger, giving a daughter to either of them, and 'officiating at their nuptial sacrifice,

62. 'Defiling a damsel, usury, want of perfect 'chastity in a student, selling a holy pool or garden, 'a wife, or a child,

63. 'Omitting the sacred investiture, abandoning a 'kinsman, teaching the *Véda* for hire, learning it 'from a hired teacher, selling commodities, that ought 'not to be sold,

64. 'Working in mines of any sort, engaging in '*dykes, bridges, or other* great mechanical works, 'spoiling medicinal plants *repeatedly*, subsisting by *the* '*harlotry of* a wife, offering sacrifices and preparing 'charms to destroy *the innocent*,

65. 'Cutting down green trees for firewood, per-'forming holy rites with a selfish view merely, and 'eating prohibited food *once without a previous design*.

66. 'Neglecting to keep up the consecrated fire, 'stealing *any valuable thing besides gold*, non-pay-'ment of *the three* debts, application to the books 'of a false religion, and excessive attention to musick 'or dancing,

67. 'Stealing grain, base metals, or cattle, fami-'liarity *by the twice-born* with women who have 'drunk inebriating liquor, killing *without malice* a wo-'man, *a Súdra, a Vaisya*, or a *Cshatriya*, and denying

CHAP. XI. ' a future state of rewards and punishments, are all ' crimes in the third degree, *but higher or lower according to circumstances.*

68. ' GIVING pain to a *Bráhmen,* smelling at any ' spirituous liquor or any thing *extremely fetid and* ' unfit to be smelt, cheating, and unnatural practices ' with a male, are considered as causing a loss of ' class.

69. ' To kill an ass, a horse, a camel, a deer, an ' elephant, a goat, a sheep, a fish, a snake, or a ' buffalo, is declared an offence, which degrades the ' killer to a mixed tribe.

70. ' ACCEPTING presents from despicable men, illegal traffick, attendance on a *Súdra*-master, and ' speaking falsehood, must be considered as causes of ' exclusion from social repasts.

71. ' KILLING an insect, small or large, a worm, or ' a bird, eating what has been brought *in the same* ' *basket* with spirituous liquor, stealing fruit, wood, or ' flowers, and great perturbation of mind *on trifling* ' *occasions,* are offences which cause defilement.

72. ' You shall now be completely instructed in ' those penances, by which all the sins just mentioned are expiable.

73. ' IF a *Bráhmen* have killed a man of the sacerdotal class, *without malice prepense, the slayer* ' *being far superiour to the slain in good qualities,* he ' must himself make a hut in a forest and dwell in

' it

'it twelve whole years, subsisting on alms for the 'purification of his soul, placing near him, as a to-'ken *of his crime,* the skull of the slain, *if he can 'procure it, or, if not, any human skull. The time of 'penance for the three lower classes must be twenty 'four, thirty six, and forty eight, years.*

74. 'Or, *if the slayer be of the military class,* he 'may voluntarily expose himself as a mark to archers, 'who know *his intention;* or, *according to circum-'stances,* may cast himself head-long thrice, *or even 'till he die,* into blazing fire.

75. 'Or, *if he be a king, and slew a priest with-'out malice or knowledge of his class,* he may per-'form, *with presents of great wealth,* one of the fol-'lowing sacrifices; an *Aswamédha,* or a *Swerjit,* or a '*Gósava,* or an *Abhijit,* or a *Viswajit,* or a *Trivrĭt,* 'or an *Agnishtut.*

76. 'Or, to expiate the guilt of killing a priest '*without knowing him and without design,* the killer 'may walk *on a pilgrimage* a hundred *yójanas,* re-'peating any one of the *Védas,* eating barely enough 'to sustain life, and keeping his organs in perfect 'subjection;

77. 'Or, *if in that case the slayer be unlearned 'but rich,* he may give all his property to some '*Bráhmen* learned in the *Véda,* or a sufficiency of 'wealth for his life, or a house and furniture *to hold 'while he lives:*

78. 'Or

78. 'Or, eating only such wild grains as are offered to the gods, he may walk to *the head of* the river *Saraswatì* against the course of the stream; 'or, subsisting on very little food, he may thrice 'repeat the whole collection of *Védas*, or the *Rich*, '*Yajush*, and *Sáman*.

79. 'Or, his hair being shorn, he may dwell near 'a town, or on pasture-ground for cows, or in some 'holy place, or at the root of a sacred tree, taking 'pleasure in doing good to cows and to *Bráhmens:*

80. 'There, for the preservation of a cow or a '*Bráhmen*, let him instantly abandon life; since the 'preserver of a cow or a *Bráhmen* atones for the 'crime of killing a priest:

81. 'Or, by attempting at least three times forcibly to recover *from robbers* the property of a '*Bráhmen*, or by recovering it in one of his attacks, 'or even by losing his life in the attempt, he atones 'for his crime.

82. 'Thus, continually firm in religious austerity, 'chaste as a student in the first order, with his mind 'intent on virtue, he may expiate the guilt of *undesignedly* killing a *Bráhmen*, after the twelfth year 'has expired.

83. 'Or, *if a virtuous* Bráhmen *unintentionally kill* '*another, who had no good quality*, he may atone for 'his guilt by proclaiming it in an assembly of priests 'and military men, at the sacrifice of a horse, and

'by

'by bathing with other *Bráhmens* at the close of 'the sacrifice: CHAP. XI.

84. '*Bráhmens* are declared to be the basis, and '*Cshatriyas* the summit, of the legal system: he, 'therefore, expiates his offence by fully proclaiming 'it in such an assembly.

85. 'From his high birth alone, a *Bráhmen* is an 'object of veneration even to deities; his declarations 'to mankind are decisive evidence; and the *Véda* 'itself confers on him that character.

86. 'Three at least, who are learned in the *Veda*, 'should be assembled to declare the proper expia'tion for the sin *of a priest, but, for the three other* '*classes, the number must be doubled, tripled, and* '*quadrupled:* what they declare shall be an atone'ment for sinners; since the words of the learned 'give purity.

87. 'Thus a *Bráhmen*, who has performed one of 'the preceding expiations, *according to the circum*'*stances of the homicide and the characters of the per*'*sons killed and killing*, with his whole mind fixed 'on God, purifies his soul, and removes the guilt of 'slaying a man of his own class:

88. 'He must perform the same penance for killing 'an embryo, *the sex of which was* unknown, *but whose* '*parents were sacerdotal*, or a military or a commer'cial man employed in a sacrifice, or a *Bráhmení*-wo'man, who has bathed after temporary uncleanness;

89 'And

89. 'And *the same* for giving false evidence *in a 'cause concerning land or gold, or precious commo- 'dities*, and for accusing his preceptor unjustly, and 'for appropriating a deposit, and for killing the wife 'of a priest, *who keeps a consecrated fire*, or for slay- 'ing a friend.

90. 'Such is the atonement ordained for killing a 'priest *without malice;* but for killing a *Bráhmen* with 'malice prepense, this is no expiation: *the term of 'twelve years must be doubled, or, if the case was 'atrocious, the murderer must actually die in flames 'or in battle.*

91. 'Any twice-born man, who has *intentionally* 'drunk spirit of rice, through perverse delusion of 'mind, may drink more spirit in flame, and atone 'for his offence by severely burning his body;

92. 'Or he may drink boiling hot, until he die, 'the urine of a cow, or pure water, or milk, or 'clarified butter, or juice expressed from cow-dung:

93. 'Or, *if he tasted it unknowingly*, he may ex- 'piate the sin of drinking spirituous liquor, by eat- 'ing only some broken rice or grains of *tila*, from 'which oil has been extracted, once every night for 'a whole year, wrapped in coarse vesture of hairs 'from a cow's tail, *or sitting unclothed in his house*, 'wearing his locks and beard uncut, and putting out 'the flag of a tavern-keeper.

94. 'Since the spirit of rice is *distilled from the* 'Mala, *or* filthy refuse, of the grain, and since *Mala*

'is

'is also a name for sin, let no *Bráhmen*, *Cshatriya* CHAP. XI.
'or *Vaisya* drink that spirit.

95. 'Inebriating liquor may be considered as of 'three *principal* sorts: that extracted from dregs of 'sugar, that extracted from bruised rice, and that 'extracted from the flowers of the *Madhúca*: as one, 'so *are* all; they shall not be tasted by the chief 'of the twice-born.

96. 'Those liquors, and *eight* other sorts, with the 'flesh of animals, and *A'sava, the most pernicious be-'verage, prepared with narcotick drugs*, are swallowed 'at the juncates of *Yacshas*, *Racshases*, and *Pisáchas*: 'they shall not, therefore, be tasted by a *Bráhmen*, 'who feeds on clarified butter offered to gods.

97. 'A *Bráhmen*, stupefied by drunkenness, might 'fall on something very impure, or might even, when 'intoxicated, pronounce a *secret* phrase of the *Véda*, 'or might do some other act, which ought not to be 'done.

98. 'When the divine spirit, *or the light of holy 'knowledge*, which has been infused into his body, 'has once been sprinkled with any intoxicating liquor, 'even his priestly character leaves him, and he sinks 'to the low degree of a *Súdra*.

99. 'Thus have been promulgated the various modes 'of expiation for drinking spirits: I will next pro-'pound the atonement for stealing *the* gold *of a 'priest to the amount of a* suverna.

CHAP. XI.

100. 'He, who has purloined the gold of a *Bráhmen*, must hasten to the king, and proclaim his offence; adding, "Inflict on me the punishment due to my crime."

101. 'Then shall the king himself, taking *from him* an iron mace, *which the criminal must bear on his shoulder*, strike him with it once; and by that stroke, *whether he die or be only left as dead*, the thief is released from sin: a *Bráhmen*, by rigid penance alone *can expiate that offence; another twice-born man may also perform such a penance at his election*.

102. 'The twice-born man, who desires to remove by austere devotion the taint caused by stealing gold, must perform in a forest, covered with a mantle of rough bark, the penance *before ordained* for him, who *without malice prepense* has killed a *Bráhmen*.

103. 'By these expiations may the twice-born atone for the guilt of stealing *gold from a priest;* but the sin of adultery with the wife of a father, *natural or spiritual*, they must expiate by the following penances.

104. 'He, who *knowingly and actually* has defiled the wife of his father, *she being of the same class*, must extend himself on a heated iron bed, loudly proclaiming his guilt; and, there embracing the red hot iron image of a woman, he shall atone for his crime by death:

105. 'Or,

105. ‘ Or, having himself amputated his penis and ‘ scrotum, and holding them in his fingers, he may ‘ walk in a direct path toward the south-west, or the ‘ region of NIRRITI, until he fall dead on the ground: CHAP. XI.

106. ‘ Or, *if he had mistaken her for another woman,* ‘ he may perform for a whole year, with intense ap‘plication of mind, the penance *prájápatya,* with part ‘ of a bed, *or a human bone,* in his hand, wrapped ‘ in vesture of coarse bark, letting his hair and beard ‘ grow, and living in a deserted forest:

107. ‘ Or, *if she was of a lower class and a corrupt* ‘ *woman,* he may expiate the sin of violating the bed ‘ of his father, by continuing the penance *chándráya‘na* for three months, always mortifying his body by ‘ eating only forest herbs, or wild grains boiled in ‘ water.

108. ‘ By the preceding penances may sinners of ‘ the *two* higher degrees atone for their guilt; and ‘ the less offenders may expiate theirs by the follow‘ing austerities.

109. ‘ HE, who has committed the smaller offence ‘ of killing a cow *without malice,* must drink for the ‘ first month barley-corns *boiled soft in water; his* ‘ *head must be* shaved *entirely;* and, covered with the ‘ hide *of the slain cow,* he must fix his abode on *her late* pasture ground:

110. ‘ He may eat a moderate quantity *of wild* ‘ *grains,* but without any factitious salt, for the next

CHAP. XI. 'two months at the time of each fourth repast, *on 'the evening of every second day;* regularly bathing in 'the urine of cows, and keeping his members under 'controul:

111. 'All day he must wait on the herd, and 'stand quaffing the dust raised *by their hoofs;* at 'night, having servilely attended *and stroked* and sa-'luted them, *he must surround them with a fence,* and 'sit near *to guard* them:

112. 'Pure and free from passion, he must stand, 'while they stand; follow them, when they move to-'gether; and lie down by them, when they lie down:

113. 'Should a cow be sick or terrified by tigers 'or thieves, or fall, or stick in mud, he must re-'lieve her by all possible means:

114. 'In heat, in rain, or in cold, or while the 'blast furiously rages, let him not seek his own 'shelter, without first sheltering the cows to the ut-'most of his power:

115. 'Neither in his own house, or field, or floor 'for treading out grain, nor in those of any other 'person, let him say a word of a cow, who eats '*corn or grass,* or of a calf, who drinks *milk:*

116. 'By waiting on a herd, according to these 'rules, for three months, the slayer of a cow atones 'for his guilt;

117. '*But,* his penance being performed, he must 'give

'give ten cows and a bull, or, his stock not being 'so large, must deliver all he possesses, to such as 'best know the *Véda*. CHAP. XI.

118. 'The preceding penances, or that called *chándráyana*, must be performed for the absolution of all 'twice-born men, who have committed sins of the 'lower *or third* degree; except those, who have in'curred the guilt of an *avacírní;*

119. 'But he, who has become *Avacírna*, must sa'crifice *a black or* a one-eyed ass, by way of a meat'offering to Nirriti, *patroness of the south-west,* by 'night, in a place where four ways meet:

120. 'Let him daily offer to her in fire the fat of 'that ass, and, at the close *of the ceremony,* let him 'offer clarified butter, with the holy text *Sem* and so 'forth, to Pavana, to Indra, to Vrihaspati, and to 'Agni, *regents of wind, clouds, a planet, and fire.*

121. 'A voluntary effusion, *naturally or otherwise,* 'of that which may produce a man, by a twice-born 'youth during the time of his studentship, *or before 'marriage*, has been pronounced *avacírna*, or a vio'lation *of the rule prescribed for the first order*, by 'sages, who knew the whole system of duty, and ut'tered the words of the *Véda*.

122. 'To the four *deities of purification*, Ma'ruta, 'Indra, Vrihaspati, Agni, goes all the divine light, 'which the *Véda* had imparted, from the student, 'who commits the foul sin *avacírna;*

123. 'But,

CHAP. XI.

123. 'But, this crime having actually been committed, he must go begging to seven houses, clothed only with the hide of the *sacrificed* ass, and openly proclaiming his act:

124. 'Eating a single meal begged from them, at the regular time of the day, *that is, in the morning or evening*, and bathing *each day* at the three *savanas*, he shall be absolved from his guilt at the end of one year.

125. 'He, who has voluntarily committed any sin, which causes a loss of class, must perform the *tormenting* penance, *thence* called *sántapana;* or the *prájápatya*, if he offended involuntarily.

126. 'For sins, which degrade to a mixed class, or exclude from society, the sinner must have recourse to the lunar expiation *chándráyana* for one month: to atone for acts which occasion defilement, he must swallow nothing for three days but hot barley-gruel.

127. 'For killing *intentionally* a *virtuous* man of the military class, the penance must be a fourth part of that ordained for killing a priest; for killing a *Vaisya*, only an eighth; for killing a *Súdra*, who had been constant in *discharging* his duties, a sixteenth part:

128. 'But, if a *Bráhmen* kill a *Cshatriya* without malice, he must, after a full performance of his re-

'ligious

' ligious rites, give *the priests* one bull together with ' a thousand cows; CHAP. XI.

129. ' Or he may perform for three years the penance for slaying a *Bráhmen*, mortifying his organs ' of sensation and action, letting his hair grow long, ' and living remote from the town, with the root of ' a tree for his mansion.

130. ' If he kill *without malice* a *Vaisya*, who had ' a good moral character, he may perform the same ' penance for one year, or give *the priests* a hundred ' cows and a bull:

131. ' For six months must he perform this whole ' penance, if *without intention* he kill a *Súdra;* or ' he may give ten white cows and a bull to the ' priests.

132. ' If he kill *by design* a cat, or an ichneumon, ' the bird *chásha*, or a frog, a dog, a lizard, an owl, ' or a crow, he must perform the *ordinary* penance ' required for the death of a *Súdra*, *that is the chándráyana:*

133. ' Or, *if he kill one of them undesignedly*, he ' may drink nothing but milk for three *days and* ' nights, or *each night* walk a *yójan*, or *thrice* bathe ' in a river, or silently repeat the text on the divinity of water; *that is, if he be disabled by real* ' *infirmity from performing the first mentioned penances,* ' *he may have recourse to the next in order.*

134. ' A *Bráhmen*, if he kill a snake, must give *to*

' *some*

CHAP. XI. '*some priest* a hoe, *or iron-headed stick;* if an eu-'nuch, a load of rice-straw, and a *másha* of lead;

135. 'If a boar, a pot of clarified butter; if the 'bird *tittiri*, a *dróna* of *tila*-seeds; if a parrot, a 'steer two years old; if the water-bird *crauncha*, a 'steer aged three years:

136. 'If he kill *a goose*, *or* a phenicopteros, a '*heron*, *or* cormorant, a bittern, a peacock, an ape, 'a hawk, or a kite, he must give a cow to some '*Bráhmen:*

137. 'If he kill a horse, he must give a mantle; 'if an elephant, five black bulls; if a goat or a 'sheep, one bull; if an ass, a calf one year old:

138. 'If he kill a carnivorous wild beast, he must 'give a cow with abundance of milk; if a wild 'beast not carnivorous, a fine heifer; and a *racticà* 'of gold, if he slay a camel:

139. 'If he kill a woman *of any class* caught in 'adultery, he must give as an expiation, in the di-'rect order of the four classes, a leathern pouch, a 'bow, a goat, and a sheep.

140. 'Should a *Bráhmen* be unable to expiate by 'gifts the sin of killing a snake and the rest, he 'must atone for his guilt by performing, on each 'occasion, the penance *prájápatya*.

141. 'For the slaughter of a thousand small animals 'which have bones, or for that of boneless animals

'enow

'enow to fill a cart, he must perform the *chándráyana*, 'or common penance for killing a Súdra;

142. 'But, for killing boned animals, he must also 'give some trifle, *as a* pana *of copper*, to a *Bráh-'men:* for killing those without bones, *he may be 'absolved* by holding his breath, *at the close of his 'penance, while he thrice repeats the gáyatrì* with its '*head*, the *pranava*, *and the vyáhrĭtis*.

143. 'For cutting *once without malice* trees yielding 'fruit, shrubs with many crowded stems, creeping or 'climbing plants, or such as grow again when cut, 'if they were in blossom *when he hurt them*, he must 'repeat a hundred texts of the *Véda*.

144. 'For killing insects of any sort bred in rice 'or other grains, or those bred *in honey or other* 'fluids, or those bred in fruit or flowers, eating clari-'fied butter is a full expiation.

145. 'If a man cut, *wantonly and* for no good pur-'pose, such grasses as are cultivated, or such as 'rise in the forest spontaneously, he must wait on a 'cow for one day, nourished by milk alone.

146. 'By these penances may mankind atone for 'the sin of injuring sentient creatures, whether com-'mitted by design or through inadvertence: hear now 'what penances are ordained for eating or drinking 'what ought not to be tasted.

147. 'He, who drinks undesignedly any spirit *but*

 '*that*

CHAP. XI. '*that of rice*, may be absolved by a new investiture 'with the sacrificial string: even for drinking intentionally *the weaker sorts of spirit*, a penance extending to death must not (as the law is now fixed) 'be prescribed.

148. 'For drinking water which has stood in a 'vessel, where spirit of rice or any other spirituous 'liquor had been kept, he must swallow *nothing*, for 'five *days and* nights, but the plant *sanc'hapushpí* 'boiled in milk:

149. 'If he touch any spirituous liquor, or give 'any away, or accept any in due form, *or with* '*thanks*, or drink water left by a *Súdra*, he must 'swallow nothing for three *days and* nights, but *cusá*-'grass boiled in water.

150. 'Should a *Bráhmen*, who has once tasted the 'holy juice of the moon-plant, even smell the breath 'of a man who has been drinking spirits, he must 'remove the taint by thrice repeating the *gáyatrì*, 'while he suppresses his breath in water, and by 'eating clarified butter *after that ceremony*.

151. 'If any of the three twice-born classes have 'tasted unknowingly human ordure or urine, or any 'thing that has touched spirituous liquor, they must, '*after a penance*, be girt anew with the sacrificial 'thread;

152. 'But, in such new investiture of the twice-'born, the partial tonsure, the zone, the staff, the 'petition

'petition of alms, and the strict rules of abstinence, 'need not be renewed. CHAP. XI.

153. 'Should one of them eat the food of those 'persons, with whom he ought never to eat, or food 'left by a woman or a *Súdra*, or any prohibited flesh, 'he must drink barley-gruel only for seven *days and* 'nights.

154. 'If a *Bráhmen* drink sweet liquors turned 'acid, or astringent juices from impure fruits, he be'comes unclean, as long as those fluids remain un'digested.

155. 'Any twice-born man, who *by accident* has 'tasted the dung or urine of a tame boar, an ass, 'a camel, a shakal, an ape, or a crow, must per'form the penance *chándráyana*.

156. 'If he taste dried flesh-meat, or mushrooms 'rising from the ground, or any thing brought from 'a slaughter-house, though he knew not whence it 'came, he must perform the same penance.

157. 'For *knowingly* eating the flesh of carnivorous 'beasts, of town-boars, of camels, of gallinaceous 'birds, of human creatures, of crows, or of asses, 'the penance *taptacrich'hra*, or *burning and severe*, 'is the *only* atonement.

158. 'A *Bráhmen*, who, before he has completed 'his theological studies, eats food at monthly obse'quies *to one ancestor*, must fast three days *and* '*nights*, and sit in water a day:

 159. 'But

CHAP. XI.

159. 'But a student in theology, who at any time '*unknowingly* tastes honey or flesh, must perform 'the lowest penance, or the *prájápatya*, and proceed 'to finish his studentship.

160. 'Having eaten what has been left by a cat, 'a crow, amouse, a dog, or an ichneumon, or what 'has even been touched by a louse, he must drink, '*boiled in water*, the plant *brahmasuverchalá*.

161. 'By the man, who seeks purity of soul, no 'forbidden food must be tasted: what he has unde-'signedly swallowed he must instantly vomit up, or 'must purify himself with speed by legal expiations.

162. 'Such, as have been declared, are the various 'penances for eating prohibited food: hear now the 'law of penance for an expiation of theft.

163. 'The chief of the twice-born, having volun-'tarily stolen such property, as grain, raw or dressed, 'from the house of another *Bráhmen*, shall be ab-'solved on performing the penance *prájápatya* for a 'whole year;

164. 'But the penance *chándráyana* must be per-'formed for stealing a man, woman, or child, for 'seizing a field, or a house, or for taking the waters 'of an enclosed pool or well.

165. 'Having taken goods of little value from the 'house of another man, he must procure absolution 'by performing the penance *sántapana;* having first

'restored,

‘ restored, *as the penitent thief always must*, the goods CHAP. XI.
‘ that he stole.

166. ‘ For taking what may be eaten, or what may ‘ be sipped, a carriage, a bed, or a seat, roots, ‘ flowers, or fruit, an atonement may be made by ‘ swallowing the five *pure* things produced by a cow, ‘ *or milk, curds, butter, urine, dung:*

167. ‘ For stealing grass, wood, or trees, rice in ‘ the husk, molasses, cloth or leather, *fish, or other* ‘ animal food, a strict fast must be kept three *days* ‘ *and three* nights.

168. ‘ For stealing gems, pearls, coral, copper, ‘ silver, iron, brass, or stone, nothing but broken rice ‘ must be swallowed for twelve days;

169. ‘ And *nothing but* milk for three days, if ‘ cotton or silk, or wool had been stolen, or a beast ‘ either with cloven or uncloven hoofs, or a bird, ‘ or perfumes, or medicinal herbs, or cordage.

170. ‘ By these penances may a twice-born man ‘ atone for the guilt of theft; but the following aus- ‘ terities only can remove the sin of carnally ap- ‘ proaching those, who must not be carnally approached

171. ‘ He, who has wasted his manly strength with ‘ sisters by the same womb, with the wives of his ‘ friend or of his son, with girls under the age of ‘ puberty, or with women of the lowest classes, must ‘ perform the penance ordained for defiling the bed ‘ of a preceptor:

172. ‘ He,

CHAP. XI.

172. 'He, who has carnally known the daughter 'of his paternal aunt, *who is almost equal to* a sister, 'or the daughter of his maternal aunt, or the 'daughter of his maternal uncle, *who is* a near kins-'man, must perform the *chándráyana*, or *lunar pe-'nance;*

173. 'No man of sense would take one of those 'three as his wife: they shall not be taken in mar-'riage by reason of their consanguinity; and he, 'who marries any one of them, falls deep *into sin.*

174. 'He, who has wasted, what might have pro-'duced a man, with female brute animals, with a 'woman during her courses, or in any but the natu-'ral part, or in water, must perform the penance *sán-'tapana: for a bestial act with a cow the penance 'must be far more severe.*

175. 'A twice-born man, dallying lasciviously with 'a male *in any place or at any time*, or with a fe-'male in a carriage drawn by bullocks, or in water, 'or by day, *shall be degraded, and* must bathe him-'self *publickly* with his apparel.

176. 'Should a *Bráhmen* carnally know a woman 'of the *Chandála* or *Mléch'ha*-tribes, or taste their 'food, or accept a gift from them, he loses his own 'class, if he acted unknowingly, or, if knowingly, 'sinks to a level *with them.*

177. 'A wife, excessively corrupt, let her husband 'confine to one apartment, and compel her to per-

'form

'form the penance ordained for a man, who has com-'mitted adultery:

178. 'If, having been solicited by a man of her 'own class, she again be defiled, her expiation must 'be the penance *prájápatya* added to the *chándráyana.*

179. 'The guilt of a *Bráhmen*, who has dallied a 'whole night with a *Chandálí*-woman, he may re-'move in three years by subsisting on alms, and in-'cessantly repeating the *gáyatrì* with other mys-'terious texts.

180. 'These penances have been declared for sin-'ners of four sorts, *those who hurt sentient creatures,* '*those who eat prohibited food, those who commit theft,* '*and those who are guilty of lasciviousness:* hear now 'the prescribed expiation for such, as hold any inter-'course with degraded offenders.

181. 'He, who associates himself for one year with 'a fallen sinner, falls like him; not by sacrificing, 'reading the *Véda*, or contracting affinity with him, '*since by those acts he loses his class immediately,* but 'even by using the same carriage or seat, or by 'taking his food at the same board:

182. 'That man who holds an intercourse with any 'one of those degraded offenders, must perform, as 'an atonement for such intercourse, the penance 'ordained for that sinner himself.

183. 'The *sapindas* and *samánódacas* of a man de-'graded, *for a crime in the first degree,* must offer

'a libation

CHAP. XI. 'a libation of water *to his manes, as if he were* '*naturally dead*, out of the town, in the evening of 'some inauspicious day, *as the ninth of the moon*, 'his paternal kinsmen, his officiating priest, and his 'spiritual guide being present.

184. 'A female slave must kick down with her foot 'an *old* pot filled with water, *which had for that pur-* '*pose been placed before the south*, as if it were an 'oblation for the dead; and all the kinsmen, in the 'nearer and remoter degrees, must remain impure for 'a day and a night:

185. 'They must thenceforth desist from speaking 'to him, from sitting in his company, from deliver- 'ing to him any inherited or other property, and 'from every civil or usual attention, *as inviting him* '*on the first day of the year, and the like.*

186. 'His right of primogeniture, *if he was an el-* '*der brother*, must be withholden from him, and what- 'ever perquisites arise from priority of birth: a 'younger brother, excelling him in virtue, must ap- 'propriate the share of the first-born.

187. 'But, when he has performed his due penance, 'his kinsmen and he must throw down a new vessel 'full of water, after having bathed together in a 'pure pool:

188. 'Then must he cast that vessel into the 'water; and, having entered his house, he may per- 'form, as before, all the acts incident to his rela- 'tion by blood.

189. 'The

189. 'The same ceremony must be performed by 'the kindred even of women degraded, for whom 'clothes, dressed rice, and water must be provided; 'and they must dwell *in huts* near the family house.

190. 'With sinners, whose expiations are unper-'formed, let not a man transact business of any 'kind; but those, who have performed their expia-'tions, let him at no time reproach:

191. 'Let him not, however, live with those, who 'have slain children, or injured their benefactors, or 'killed suppliants for protection, or put women to 'death, even though such offenders have been legally 'purified.

192. 'Those men of the twice-born classes, to 'whom the *gáyatrì* has not been repeated and ex-'plained, according to law, the assembly must cause 'to perform three *prájápatya* penances, and *afterwards* 'to be girt with the sacrificial string;

193. 'And the same penance they must prescribe 'to such twice-born men, as are anxious to atone 'for some illegal act, or a neglect of the *Véda*.

194. 'If priests have accepted any property from 'base hands, they may be absolved by relinquishing 'the presents, by repeating mysterious texts, and by 'acts of devotion:

195. 'By three thousand repetitions of the *gáyatrì* 'with intense application of mind, and by subsisting 'on milk only for a whole month on the pasture

CHAP. XI. 'of cows, a *Bráhmen*, who has received any gift 'from a bad man, *or a bad gift from any man*, may 'be cleared from sin.

196. 'When he has been mortified by abstinence, 'and has returned from the pasturage, let him bend 'low to the other *Bráhmens*, who must thus interro-'gate him: "Art thou really desirous, good man, of 'readmission to an equality with us?"

197. 'If he answer in the affirmative, let him give 'some grass to the cows, and in the place, made 'pure by their having eaten on it, let the men of 'his class give their assent to his readmission.

198. 'He, who has officiated at a sacrifice for out-'casts, or burned the corpse of a stranger, or per-'formed rites to destroy the innocent, or made the 'impure sacrifice, called *Ahína*, may expiate his guilt 'by three *prájápatya* penances.

199. 'A twice-born man, who has rejected a sup-'pliant for his protection, or taught the *Véda* on a 'forbidden day, may atone for his offence by sub-'sisting a whole year on barley alone.

200. 'He, who has been bitten by a dog, a sha-'kal, or an ass, by any carnivorous animal frequent-'ing a town, by a man, a horse, a camel, or a 'boar, may be purified by stopping his breath during 'one repetition of the *gáyatrì*.

201. 'To eat only at the time of the sixth meal, '*or on the evening of every third day*, for a month, 'to

'to repeat a *Sanhità* of the *Védas*, and to make 'eight oblations to fire, accompanied with *eight* holy 'texts, are always an expiation for those, who are 'excluded from society at repasts.

202. 'Should a *Bráhmen* voluntarily ascend a car-'riage borne by camels or drawn by asses, or design-'edly bathe quite naked, he may be absolved by 'one suppression of breath, *while he repeats in his 'mind the most holy text.*

203. 'He, who has made any excretion, being 'greatly pressed, either without water *near him*, or 'in water, may be purified by bathing in his clothes 'out of town, and by touching a cow.

204. 'For an omission of the acts, which the *Véda* 'commands to be constantly performed, and for a vio-'lation of the duties prescribed to a housekeeper, the 'atonement is fasting *one day*.

205. 'He, who says hush or pish to a *Bráhmen*, 'or thou *to a superiour*, must *immediately* bathe, eat 'nothing for the rest of the day, and appease him 'by clasping his feet with respectful salutation.

206. 'For striking a *Bráhmen* even with a blade 'of grass, or tying him by the neck with a cloth, 'or overpowering him in argument, and adding con-'temptuous words, the offender must soothe him by 'falling prostrate.

207. 'An assaulter of a *Bráhmen*, with intent to

CHAP. XI. 'kill, shall remain in hell a hundred years; for actually striking him *with the like intent*, a thousand:

208. 'As many small pellets of dust as the blood of a *Bráhmen* collects on the ground, for so many thousand years must the shedder of that blood be tormented in hell.

209. 'For a simple assault, the first *or common* penance must be performed; for a battery, the *third or* very severe penance; but for shedding blood, *without killing*, both of those penances.

210. 'To remove the sins, for which no particular penance has been ordained, the assembly must award a fit expiation, considering the ability of the sinner *to perform it*, and the *nature of the* sin.

211. 'Those penances, by which a man may atone for his crimes, I now will describe to you; penances, which have been performed by deities, by holy sages, and by forefathers *of the human race*.

212. 'When a twice-born man performs the *common* penance, *or that* of Prajápati, he must for three days eat only in the morning; for three days, only in the evening; for three days, food unasked *but presented to him;* and for three more days, nothing.

213. 'Eating *for a whole day* the dung and urine of cows mixed with curds, milk, clarified butter, and water boiled with *cusa*-grass, and then fasting entirely for a *day and a* night, is the penance 'called

'called *Sántapana*, (either from the devout man SAN- CHAP. XI.
'TAPANA, or from *tormenting*).

214. 'A twice-born man performing the penance, 'called very severe, *in respect of the common*, must 'eat, as before, a single mouthful, *or a ball of rice* '*as large as a hen's egg*, for three times three days; 'and for the last three days, must wholly abstain 'from food.

215. 'A *Bráhmen*, performing the ardent penance, 'must swallow nothing but hot water, hot milk, hot 'clarified butter, and hot steam, each of them for 'three days successively, performing an ablution and 'mortifying all his members.

216. 'A total fast for twelve days *and nights*, by 'a penitent with his organs controlled and his mind 'attentive, is the penance named *paráca*, which ex- 'piates all *degrees of* guilt.

217. 'If he diminish his food by one mouthful *each* '*day*, during the dark fortnight, *eating fifteen mouth-* '*fuls on the day of the opposition*, and increase it, '*in the same proportion*, during the bright fortnight, '*fasting entirely on the day of the conjunction*, and 'perform an ablution regularly at sunrise, noon, and 'sunset, this is the *chándráyana*, or the lunar pe- 'nance:

218. 'Such is the *penance* called ant-shaped *or nar-* '*row in the middle*; but, if he perform the barley- 'shaped, *or broad in the middle*, he must observe the

'same

CHAP. XI.

'same rule, beginning with the bright half-month; 'and keeping under command his organs of action 'and sense.

219. 'To perform the lunar penance of an ancho-'ret, he must eat only eight mouthfuls of forest 'grains at noon *for a whole month,* taking care to 'subdue his mind.

220. 'If a *Bráhmen* eat only four mouthfuls at sun-'rise, and four at sunset, *for a month,* keeping his 'organs controlled, he performs the lunar penance of 'children.

221. 'He, who, for a whole month, eats no more 'than thrice eighty mouthfuls of wild grains, *as he* '*happens* by any means *to meet with them,* keeping 'his organs in subjection, shall attain the same abode 'with the regent of the moon:

222. 'The *eleven Rudras,* the *twelve Adityas,* the '*eight Vasus,* the *Maruts,* or genii of the winds, and 'the *seven* great *Rishis,* have performed this lunar 'penance as a security from all evil.

223. 'The oblation *of clarified butter* to fire must 'every day be made by *the penitent* himself, accom-'panied with the mighty words, *earth, sky, heaven;* 'he must perfectly abstain from injury to sentient 'creatures, from falsehood, from wrath, and from all 'crooked ways.

224. 'Or, thrice each day, and thrice each night 'for a month, the penitent may plunge into water

'clothed

'clothed in his mantle, and at no time conversing 'with a woman, a *Súdra*, or an outcast. CHAP. XI.

225. 'Let him be always in motion, sitting and 'rising alternately; or, if unable *to be thus restless*, 'let him sleep low *on the bare ground;* chaste as a 'student of the *Véda, bearing the sacred zone and* '*staff,* showing reverence to his preceptor, to the 'gods, and to priests;

226. 'Perpetually must he repeat the *gáyatrì*, and 'other pure texts to the best of his knowledge: 'thus in all penances for absolution from sin, must 'he vigilantly employ himself.

227. 'By these expiations are twice-born men ab-'solved whose offences are publickly known, *and are* '*mischievous by their example;* but for sins not pub-'lick, the assembly of priests must award them 'penances, with holy texts and oblations to fire.

228. 'By open confession, by repentance, by de-'votion, and by reading the scripture, a sinner may 'be released from his guilt; or by alms-giving, in 'case of his inability *to perform the other acts of re-*'*ligion.*

229. 'In proportion as a man, who has committed 'a sin, shall truly and voluntarily confess it, so far 'he is disengaged from that offence, like a snake 'from his slough;

230. 'And, in proportion as his heart sincerely

'loathes

'loathes his evil deed, so far shall his vital spirit 'be freed from the taint of it.

231. 'If he commit sin, and actually repent, that 'sin shall be removed from him; but if he merely 'say, "I will sin thus no more," he can only be 'released by an actual abstinence from guilt.

232. 'Thus revolving in his mind the certainty of 'retribution in a future state, let him be constantly 'good in thoughts, words, and action.

233. 'If he desire complete remission of any foul 'act which he has committed, either ignorantly or 'knowingly, let him beware of committing it again; '*for the second fault his penance must be doubled.*

234. 'If, having performed any expiation, he feel 'not a perfect satisfaction of conscience, let him re-'peat the same devout act, until his conscience be 'perfectly satisfied.

235. 'All the bliss of deities and of men is de-'clared by sages, who discern the sense of the *Véda*, 'to have in devotion its cause, in devotion its con-'tinuance, in devotion its fullness.

236. 'Devotion is *equal to the performance of all* '*duties; it is* divine knowledge in a *Bráhmen;* it is 'defence of the people in a *Cshatriya;* devotion is '*the* business *of trade and agriculture* in a *Vaisya;* 'devotion is dutiful service in a *Súdra.*

237. 'Holy sages, with subdued passions, feeding 'only

'only on fruit, roots, and air, by devotion alone are 'enabled to survey the three worlds, *terrestrial, 'ethereal, and celestial*, peopled with animal creatures, 'locomotive and fixed.

238. 'Perfect health, or unfailing medicines, divine 'learning, and the various mansions of deities, are 'acquired by devotion alone: their efficient cause is 'devotion.

239. 'Whatever is hard to be traversed, whatever 'is hard to be acquired, whatever is hard to be 'visited, whatever is hard to be performed, all this 'may be accomplished by true devotion; for the dif- 'ficulty of devotion is the greatest of all.

240. 'Even sinners in the highest degree, and of 'course the other offenders, are absolved from guilt 'by austere devotion well practised.

241. '*Souls, that animate* worms, and insects, ser- 'pents, moths, beasts, birds, and vegetables, attain 'heaven by the power of devotion.

242. 'Whatever sin has been conceived in the 'hearts of men, uttered in their speech, or com- 'mitted in their bodily acts, they speedily burn it 'all away by devotion, if they preserve devotion as 'their best wealth.

243. 'Of a priest, whom devotion has purified, the 'divine spirits accept the sacrifices, and grant the 'desires with ample increase.

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244. 'Even BRAHMA', lord of creatures, by devotion enacted this code of laws; and the sages by 'devotion acquired a knowledge of the *Védas*.

245. 'Thus the gods themselves, observing in this 'universe the incomparable power of devotion, have 'proclaimed aloud the transcendent excellence of 'pious austerity.

246. 'By reading each day as much as possible of 'the *Véda*, by performing the *five* great sacraments, 'and by forgiving all injuries, even sins of the highest degree shall be soon effaced:

247. 'As fire consumes in an instant with his 'bright flame the wood, that has been placed on 'it, thus, with the flame of knowledge, a *Bráhmen*, 'who understands the *Véda*, consumes all sin.

248. 'Thus has been declared, according to law, 'the mode of atoning for open sins: now learn the 'mode of obtaining absolution for secret offences.

249. 'SIXTEEN suppressions of the breath, *while the 'holiest of texts is repeated* with the three mighty 'words, and the triliteral syllable, continued each 'day for a month, absolve even the slayer of a '*Bráhmen* from his hidden faults.

250. 'Even a drinker of spirituous liquors is absolved by repeating each day the text *apa* used by 'the sage CAUTSA, or that beginning with *preti* used 'by VASISHT'HA, or that called *máhitra*, or that, of 'which the first word is *suddhavatyah*.

251. 'By

251. 'By repeating *each day for a month* the text 'ásyavámíya, or the hymn *Sivasancalpa,* the stealer 'of gold *from a priest* becomes instantly pure. CHAP. XI.

252. 'He, who has violated the bed of his pre- 'ceptor, is cleared *from secret faults* by repeating '*sixteen times a day* the text *havishyantíya,* or that 'beginning with *na tamanhah,* or by revolving in his 'mind the *sixteen* holy verses, called *Paurusha.*

253. 'The man, who desires to expiate *his hidden* 'sins great and small, must repeat *once a day* for 'a year the text *ava,* or the text *yatcinchida.*

254. 'He, who has accepted an illegal present, or 'eaten prohibited food, may be cleansed in three 'days by repeating the text *taratsamandíya.*

255. 'Though he have committed many secret sins, 'he shall be purified by repeating for a month the 'text *sómáraudra,* or the three texts *áryamna,* while 'he bathes in a sacred stream.

256. 'A grievous offender must repeat the seven 'verses, beginning with INDRA, for half a year; and 'he, who has defiled water with any impurity, must 'sit a whole year subsisting by alms.

257. 'A twice-born man, who shall offer clarified 'butter for a year, with *eight* texts appropriated to '*eight* several oblations, or with the texts *na mé,* 'shall effacе a sin even of an extremely high de- 'gree.

 258. 'He,

258. 'He, who had committed a crime of the first 'degree, shall be absolved, if he attend a herd of 'kine for a year, mortify his organs, and continually 'repeat the texts beginning with *pávamání*, living 'solely on food given in charity.

259. 'Or, if he thrice repeat a *Sanhitá* of the '*Védas*, or *a large portion of them with all the* 'mantras *and* bráhmenas, dwelling in a forest with 'subdued organs, and purified by three *parácas*, he 'shall be set free from all sins how heinous soever.

260. 'Or he shall be released from all deadly sins, 'if he fast three days, with his members mortified, 'and twice a day plunge into water, thrice repeating 'the text *aghamarshana*:

261. 'As the sacrifice of a horse, the king of sa'crifices, removes all sin, thus the text *aghamarshana* 'destroys all offences.

262. 'A priest, who should retain in his memory 'the whole *Rigvéda*, would be absolved from guilt, 'even if he had slain the inhabitants of the three 'worlds, and had eaten food from the foulest hands.

263. 'By thrice repeating the *mantras* and *bráh*'*menas* of the *Rich*, or those of the *Yajush*, or those 'of the *Sáman*, with the *upanishads*, he shall per'fectly be cleansed from every possible taint:

264. 'As a clod of earth, cast into a great lake, 'sinks in it, thus is every sinful act submerged in 'the triple *Véda*.

265. 'The

265. ‘The divisions of the *Rich,* the several ‘branches of the *Yajush,* and the manifold strains of ‘the *Sáman* must be considered as forming the triple ‘*Véda:* he knows the *Véda,* who knows them col‘lectively.

266. ‘The primary triliteral syllable, in which the ‘three *Védas* themselves are comprised, must be kept ‘secret, as another triple *Véda:* he knows the *Véda,* ‘who *distinctly* knows *the mystick sense of* that word.’

CHAP. XII.

On Transmigration and Final Beatitude.

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1. 'O THOU, who art free from sin,' *said the devout sages*, 'thou hast declared the whole system of duties 'ordained for the four classes of men: explain to us 'now, from the first principles, the ultimate retribu- 'tion for their deeds.'

2. BHRIGU, whose heart was the pure essence of virtue, who proceeded from MENU himself, thus addressed the great sages: 'Hear the infallible rules 'for *the fruit of* deeds in this universe.

3. 'ACTION, either mental, verbal, or corporeal, 'bears good or evil fruit, *as itself is good or evil;* 'and from the actions of men proceed their various 'transmigrations in the highest, the mean, and the 'lowest degree:

4. 'Of that three-fold action, connected with bodily 'functions, disposed in three classes, and consisting 'of ten orders, be it known in this world, that the 'heart is the instigator.

5. 'Devising means to appropriate the wealth of 'other men, resolving on any forbidden deed, and 'conceiving notions of atheism or materialism, are the 'three bad acts of mind:

6. 'Scurrilous

6. 'Scurrilous language, falsehood, indiscriminate 'backbiting, and useless tattle, are the four bad acts 'of the tongue: CHAP. XII.

7. 'Taking effects not given, hurting sentient crea'tures without the sanction of law, and criminal in'tercourse with the wife of another, are the three 'bad acts of the body; *and all the ten have their 'opposites, which are good in an equal degree.*

8. 'A rational creature has a reward or a punish'ment for mental acts, in his mind; for verbal acts, 'in his organs of speech; for corporeal acts, in his 'bodily frame.

9. 'For sinful acts *mostly* corporeal, a man shall 'assume *after death* a vegetable or mineral form; for 'such acts *mostly* verbal, the form of a bird or a 'beast; for acts *mostly* mental, the lowest of human 'conditions:

10. 'He, whose firm understanding obtains a com'mand over his words, a command over his thoughts, 'and a command over his whole body, may justly be 'called a *tridandi*, or *triple commander; not a mere 'anchoret, who bears three visible staves.*

11. 'The man, who exerts this triple self-command 'with respect to all animated creatures, wholly sub'duing both lust and wrath, shall by those means 'attain beatitude.

12. 'That substance, which gives a power of mo-

'tion

CHAP. XII. 'tion to the body, the wise call *cshétrajnya*, or *jívátman*, the vital spirit; and that body, which thence 'derives active functions, they name *bhútátman*, or '*composed of elements:*

13. 'Another internal spirit, *called* mahat, or *the 'great soul*, attends the birth of all creatures imbo'died, and thence in all mortal forms is conveyed 'a perception either pleasing or painful.

14. 'Those two, the vital spirit and reasonable soul, 'are closely united with *five* elements, but connected 'with the supreme spirit, or divine essence, which 'pervades all beings high and low:

15. 'From the substance of that *supreme spirit* are 'diffused, *like sparks from fire*, innumerable vital spi'rits, which perpetually give motion to creatures ex'alted and base.

16. 'By the vital souls of those men, who have 'committed sins *in the body reduced to ashes*, another 'body, composed of *nerves with* five sensations, in 'order to be susceptible of torment, shall certainly 'be assumed after death;

17. 'And, being intimately united with those minute 'nervous particles, according to their distribution, 'they shall feel, in that new body, the pangs inflict'ed in each case by the sentence of YAMA.

18. 'When the vital soul has gathered the fruit of 'sins, which arise from a love of sensual pleasure,
'but

'but must produce misery, and, when its taint has thus been removed, it approaches again those two most effulgent essences, *the intellectual soul and the divine spirit:* CHAP. XII.

19. 'They two, closely conjoined, examine without 'remission the virtues and vices of that sensitive soul, 'according to its union with which it acquires plea-'sure or pain in the present and future worlds.

20. 'If the vital spirit had practised virtue for the 'most part, and vice in a small degree, it enjoys 'delight in celestial abodes, clothed with a body 'formed of pure elementary particles;

21. 'But, if it had generally been addicted to vice, 'and seldom attended to virtue, then shall it be de-'serted by those pure elements, and, *having a coarser* '*body of sensible nerves,* it feels the pains to which 'YAMA shall doom it:

22. 'Having endured those torments according to 'the sentence of YAMA, and its taint being almost 'removed, it again reaches those five pure elements 'in the order of their natural distribution.

23. 'Let each man, considering with his intellec-'tual powers these migrations of the soul according 'to its virtue or vice, *into a region of bliss or pain,* 'continually fix his heart on virtue.

24. 'BE it known, that the three qualities of the 'rational soul are a tendency to goodness, to passion, 'and to darkness; and, endued with one or more of

CHAP. XII. ' them, it remains incessantly attached to all these ' created substances:

25. ' When any one of the *three* qualities predominates in a mortal frame, it renders the imbodied ' spirit eminently distinguished for that quality.

26. ' Goodness is declared to be true knowledge; ' darkness, gross ignorance; passion, an emotion of ' desire or aversion: such is the compendious description of those qualities, which attend all souls.

27. ' When a man perceives in the reasonable soul ' a disposition tending to virtuous love, unclouded ' with any malignant passion, clear as the purest ' light, let him recognise it as the quality of goodness:

28. ' A temper of mind, which gives uneasiness and ' produces disaffection, let him consider as the adverse quality of passion, ever agitating imbodied spirits:

29. ' That indistinct, inconceivable, unaccountable ' disposition of a mind naturally sensual, and clouded ' with infatuation, let him know to be the quality of ' darkness.

30. ' Now will I declare at large the various acts, ' in the highest, middle, and lowest degrees, which ' proceed from those three dispositions of mind.

31. ' Study of scripture, austere devotion, sacred ' knowledge, corporeal purity, command over the or-

' gans,

'gans, performances of duties, and meditation on the 'divine spirit, accompany the good quality of the soul: CHAP. XII.

32. 'Interested motives for acts *of religion or mo-* '*rality*, perturbation of mind *on slight occasions*, com-'mission of acts forbidden by law, and habitual in-'dulgence in selfish gratifications, are attendant on 'the quality of passion:

33. 'Covetousness, indolence, avarice, detraction, 'atheism, omission of prescribed acts, a habit of so-'liciting favours, and inattention to necessary busi-'ness, belong to the dark quality.

34. 'Of those three qualities, as they appear in the 'three times, *past, present, and future*, the following 'in order *from the lowest* may be considered as a 'short *but certain* criterion.

35. 'Let the wise consider, as belonging to the 'quality of darkness, every act, which a man is 'ashamed of having done, of doing, or of going to 'do:

36. 'Let them consider, as proceeding from the 'quality of passion, every act, by which a man seeks 'exaltation and celebrity in this world, though he 'may not be much afflicted, if he fail of attaining 'his object:

37. 'To the quality of goodness belongs every act, 'by which he hopes to acquire divine knowledge,

CHAP. XII.

'which he is never ashamed of doing, and which 'brings placid joy to his conscience.

38. 'Of the dark quality, as described, the principal object is pleasure; of the passionate, worldly 'prosperity; but of the good quality, the chief object 'is virtue: the last mentioned *objects* are superiour 'in dignity.

39. 'SUCH transmigrations, as the soul procures in 'this universe by each of those qualities, I now will 'declare in order succinctly.

40. 'Souls, endued with goodness, attain always the 'state of deities; those filled with ambitious passions, 'the condition of men; and those immersed in darkness, the nature of beasts: this is the triple order 'of transmigration.

41. 'Each of those three transmigrations, caused by 'the several qualities, must also be considered as 'three-fold, the lowest, the mean, and the highest, 'according to as many distinctions of acts and of 'knowledge.

42. 'Vegetable and mineral substances, worms, in-'sects, and reptiles, *some very minute, some rather* '*larger*, fish, snakes, tortoises, cattle, shakals, are 'the lowest forms, to which the dark quality leads:

43. 'Elephants, horses, men of the servile class, 'and contemptible *Mléch'has*, or *barbarians*, lions, ti-'gers, and boars, are the mean states procured by 'the quality of darkness:

44. 'Dancers.

44. 'Dancers and singers, birds, and deceitful men, 'giants and blood-thirsty savages, are the highest 'conditions, to which the dark quality can ascend.

45 '*J'hallas*, or cudgel-players, *Mallas*, or boxers 'and wrestlers, *Natas*, or actors, those who teach 'the use of weapons, and those who are addicted 'to gaming or drinking, are the lowest forms oc'casioned by the passionate quality:

46. 'Kings, men of the fighting class, domestick 'priests of kings, and men skilled in the war of 'controversy, are the middle states caused by the 'quality of passion:

47. '*Gandharvas*, or aerial musicians, *Guhyacas* and '*Yacshas*, or servants and companions of CUVE'RA, 'genii attending superiour gods, as the *Vidyádharas* 'and others, together with various companies of '*Apsarases* or nymphs, are the highest of those forms, 'which the quality of passion attains.

48. 'Hermits, religious mendicants, other *Bráhmens*, 'such orders of demigods as are wafted in airy cars, 'genii of the signs and lunar mansions, and *Daityas*, '*or the offspring of* Diti, are the lowest of states 'procured by the quality of goodness:

49. 'Sacrificers, holy sages, deities of the lower 'heaven, genii of the *Védas*, regents of stars *not in* '*the paths of the sun and moon*, divinities of years, '*Pitrĭs* or progenitors of mankind, and the demigods 'named *Sádhyas*, are the middle forms, to which the

'good

CHAP. XII. ' good quality conveys *all spirits moderately endued* ' *with it:*

50. ' Brahma' with four faces, creators of worlds ' *under him, as* Mari'chi *and others,* the genius of ' virtue, the divinities presiding over *(two principles* ' *of nature in the philosophy of* Capila) *mahat,* or the ' *mighty,* and *avyacta,* or *unperceived,* are the highest ' conditions, to which, by the good quality, souls are ' exalted.

51. ' This triple system of transmigrations, in which ' each class has three orders, according to actions ' of three kinds, and which comprises all animated ' beings, has been revealed in its full extent:

52. ' Thus, by indulging the sensual appetites, and ' by neglecting the performance of duties, the basest ' of men, ignorant of sacred expiations, assume the ' basest forms.

53. ' What particular bodies the vital spirit enters ' in this world, and in consequence of what sins ' here committed, now hear at large and in order.

54. ' Sinners in the first degree, having passed ' through terrible regions of torture for a great num- ' ber of years, are condemned to the following births ' at the close of that period, *to efface all remains of* ' *their sin.*

55. ' The slayer of a *Bráhmen* must enter *accord-* ' *ing to the circumstances of his crime* the body of

' a dog,

'a dog, a boar, an ass, a camel, a bull, a goat, a 'sheep, a stag, a bird, a *Chandála*, or a *Puccasa.*

56. 'A priest, who has drunk spirituous liquor, 'shall migrate into the form of a smaller or larger 'worm or insect, of a moth, of a fly feeding on 'ordure, or of some ravenous animal.

57. 'He, who steals *the* gold *of a priest*, shall 'pass a thousand times into the bodies of spiders, 'of snakes and cameleons, of *crocodiles and other* 'aquatick monsters, or of mischievous blood-sucking 'demons.

58. 'He, who violates the bed of his *natural or* '*spiritual* father, migrates a hundred times into the 'forms of grasses, of shrubs with crowded stems, or of 'creeping and twining plants, of *vultures and other* 'carnivorous animals, of *lions and other* beasts with 'sharp teeth, or of *tigers and other* cruel brutes.

59. 'They, who hurt any sentient beings, are born '*cats and other* eaters of raw flesh; they who taste 'what ought not to be tasted, maggots or small 'flies; they, who steal *ordinary things*, devourers of 'each other: they, who embrace very low women, 'become restless ghosts.

60. 'He, who has held intercourse with degraded 'men, or been criminally connected with the wife of 'another, or stolen *common things* from a priest, 'shall be changed into a spirit called *Bráhma*-'*rácshasa.*

61. 'The

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61. 'The wretch, who through covetousness has 'stolen *rubies or other* gems, pearls, or coral, or 'precious things of which there are many sorts, 'shall be born *in the tribe of goldsmiths, or* among '*birds called* hémacáras, *or gold-makers.*

62. 'If a man steal grain in the husk, he shall 'be born a rat; if a yellow mixed metal, a gander; 'if water, a *plava*, or diver; if honey a great sting-'ing gnat; if milk, a crow; if expressed juice, a 'dog; if clarified butter, an ichneumon-weasel;

63. 'If he steal flesh-meat, a vulture; if any sort 'of fat, the water-bird *madgu;* if oil, a blatta, or 'oil-drinking beetle; if salt, a cicada or cricket; if 'curds, the bird *valáca;*

64. 'If silken clothes, the bird *tittiri;* if woven 'flax, a frog; if cotton cloth, the water-bird *craun-'cha;* if a cow, the lizard *gódhá;* if molasses, the 'bird *vágguda;*

65. 'If exquisite perfumes, a musk-rat; if potherbs, 'a peacock; if dressed grain in any of its various 'forms, a porcupine; if raw grain, a hedge-hog;

66. 'If he steal fire, the bird *vaca;* if a house-'hold utensil, an ichneumon-fly; if dyed cloth, the 'bird *chacóra;*

67. 'If a deer or an elephant, he shall be born a 'wolf; if a horse, a tiger; if roots or fruit, an 'ape; if a woman, a bear; if water *from a jar*, the

'bird

'bird *chátaca;* if carriages, a camel; if small cattle, CHAP. XII.
'a goat.

68. 'That man, who designedly takes away the pro-'perty of another, or eats any holy cakes not first 'presented *to the deity* at a solemn rite, shall in-'evitably sink to the condition of a brute.

69. 'Women, who have committed similar thefts, 'incur a similar taint, and shall be paired with those 'male beasts in the form of their females.

70. 'If any of the four classes omit, without urgent 'necessity, the performance of their several duties, 'they shall migrate into sinful bodies, and become 'slaves to their foes.

71. 'Should a *Bráhmen* omit his peculiar duty, he 'shall be changed into a demon called *Ulcámuc'ha* 'or *with a mouth like a firebrand*, who devours what 'has been vomited; a *Cshatriya*, into a demon called '*Catapútana, who feeds on ordure and carrion;*

72. 'A *Vaisya*, into an evil being called *Maitrácsha-'jyótica*, who eats purulent carcasses; and a *Súdra*, 'who neglects his occupations, becomes a foul im-'bodied spirit called *Chailásaca, who feeds on lice.*

73. 'As far as vital souls, addicted to sensuality, 'indulge themselves in forbidden pleasures, even to 'the same degree shall the acuteness of their senses 'be raised *in their future bodies, that they may en-'dure analogous pains;*

3 H 74. 'And,

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74. 'And, in consequence of their folly, they shall 'be doomed as often as they repeat their criminal 'acts, to pains more and more intense in despicable 'forms on this earth.

75. 'They shall first have a sensation of agony in '*Támisra* or *utter darkness*, and in other seats of 'horrour; in *Asipatravana*, or *the sword-leaved forest*, 'and in different places of binding fast and of rend- 'ing:

76. 'Multifarious tortures await them: they shall be 'mangled by ravens and owls, shall swallow cakes 'boiling hot; shall walk over inflamed sands; and 'shall feel the pangs of being baked like the vessels 'of a potter:

77. 'They shall assume the forms of beasts con- 'tinually miserable, and suffer alternate afflictions 'from extremities of cold and of heat, surrounded 'with terrours of various kinds:

78. 'More than once shall they lie in different 'wombs; and, after agonizing births, be condemned 'to severe captivity, and to servile attendance on 'creatures like themselves:

79. 'Then shall follow separations from kindred and 'friends, forced residence with the wicked, painful 'gains and ruinous losses of wealth; friendships hardly 'acquired and at length changed into enmities,

80. 'Old age without resource, diseases attended

'with

'with anguish, pangs of innumerable sorts, and, lastly, 'unconquerable death. CHAP. XII.

81. 'With whatever disposition of mind a man 'shall perform in this life any act *religious or moral*, 'in a future body endued with the same quality, 'shall he receive his retribution.

82. 'Thus has been revealed to you the system of 'punishments for evil deeds: next learn those acts of 'a *Bráhmen*, which lead to eternal bliss.

83. 'Studying and comprehending the *Véda*, prac-'tising pious austerities, acquiring divine knowledge '*of law and philosophy*, command over the organs of 'sense and action, avoiding all injury to sentient 'creatures, and showing reverence to a *natural and* '*spiritual* father, are the chief branches of duty 'which ensure final happiness.'

84. 'Among all those good acts performed in this 'world, *said the sages*, is no single act held more 'powerful than the rest in leading men to beati-'tude?'

85. 'Of all those duties, *answered* Bhrigu, the 'principal is to acquire from the *Upanishads* a true 'knowledge of one supreme GOD; that is the most 'exalted of all sciences, because it ensures immor-'tality:

86. 'In this life, indeed, as well as the next, the 'study of the *Véda*, *to acquire a knowledge of GOD*,

CHAP. XII. 'is held the most efficacious of those six duties in 'procuring felicity to man;

87. 'For in the knowledge *and adoration of one* '*GOD*, which the *Véda* teaches, all the rules of good 'conduct, *before-mentioned* in order, are fully com'prised.

88. 'The ceremonial duty, prescribed by the *Véda*, 'is of two kinds; *one* connected with this world, 'and causing prosperity on earth; *the other* abstracted 'from it, and procuring bliss in heaven.

89. 'A religious act, proceeding from selfish views 'in this world, *as a sacrifice for rain*, or in the next, '*as a pious oblation in hope of a future reward*, is 'declared to be concrete and interested; but an act 'performed with a knowledge of God, and without 'self-love, is called abstract and disinterested.

90. 'He, who *frequently* performs interested rites, 'attains an equal station with the regents of the 'lower heaven; but he, who *frequently* performs 'disinterested acts of religion, becomes for ever ex'empt from *a body composed of* the five elements:

91. 'Equally perceiving the supreme soul in all be'ings and all beings in the supreme soul, he sacri'fices his own spirit *by fixing it on the spirit of* '*GOD*, and approaches the nature of that sole di'vinity, *who shines by his own effulgence*.

92. 'Thus must the chief of the twice-born, though 'he

' he neglect the ceremonial rites mentioned in the ' *Sástras*, be diligent alike in attaining a knowledge ' of God and in repeating the *Véda:*

93. ' Such is the advantageous privilege of those, ' who have a double birth *from their natural mothers* ' *and from the* gáyatrì *their spiritual mother*, especially ' of a *Bráhmen;* since the twice-born man, by per- ' forming this duty but not otherwise, may soon ' acquire endless felicity.

94. ' To patriarchs, to deities, and to mankind, the ' scripture is an eye giving constant light; nor could ' the *Véda-Sástra* have been made by human fa- ' culties; nor can it be measured by human reason ' *unassisted by revealed glosses and comments:* this is ' a sure proposition.

95. ' Such codes of law as are not grounded on ' the *Véda*, and the various heterodox theories of ' men, produce no good fruit after death; for they ' all are declared to have their basis on darkness.

96. ' All systems, which are repugnant to the *Véda*, ' must have been composed by mortals, and shall ' soon perish: their modern date proves them vain ' and false.

97. ' The three worlds, the four classes of men, ' and their four distinct orders, with all that has ' been, all that is, and all that will be, are made ' known by the *Véda:*

98. ' The

CHAP. XII.

98. 'The nature of sound, of *tangible and visible* 'shape, of taste, and of odour, the fifth *object of* '*sense*, is clearly explained in the *Véda* alone, to'gether with the three qualities of mind, the births 'attended with them, and the acts which they oc'casion.

99. 'All creatures are sustained by the primeval '*Véda-Sástra*, which the wise therefore hold supreme, 'because it is the supreme source of prosperity to 'this creature, man.

100. 'Command of armies, royal authority, power 'of inflicting punishment, and sovereign dominion 'over all nations, he only well deserves, who per'fectly understands the *Véda-Sástra*.

101. 'As fire with augmented force burns up even 'humid trees, thus he, who well knows the *Véda*, 'burns out the taint of sin, which has infected his 'soul.

102. 'He, who completely knows the sense of the '*Véda-Sástra*, while he remains in any one of the 'four orders, approaches the divine nature, even 'though he sojourn in this low world.

103. 'They who have read many books, are more 'exalted than such as have seldom studied; they 'who retain what they have read, than forgetful 'readers; they who fully understand, than such as 'only remember; and they who perform their known 'duty, than such men as barely know it.

104. 'De-

104. 'Devotion and sacred knowledge are the best 'means by which a *Bráhmen* can arrive at beatitude: 'by devotion he may destroy guilt; by sacred know- 'ledge he may acquire immortal glory.

105. 'Three modes of proof, ocular demonstration, 'logical inference, and the authority of those various 'books, which are deduced from the *Véda*, must be 'well understood by that man, who seeks a distinct 'knowledge of all his duties.

106. 'He alone comprehends the system of duties, 'religious and civil, who can reason, by rules of logick 'agreeable to the *Véda*, on the general heads of that 'system as revealed by the holy sages.

107. 'These rules of conduct, which lead to su- 'preme bliss, have been exactly and comprehensively 'declared: the more secret learning of this *Mánava* '*Sástra* shall now be disclosed.

108. 'If it be asked, how the law shall be ascer- 'tained, when particular cases are not comprised *un- 'der any of the general rules, the answer is this:* '"That, which well-instructed *Bráhmens* propound, 'shall be held incontestible law."

109. 'Well instructed *Bráhmens* are they, who can 'adduce ocular proof from the scripture itself, having 'studied, as the law ordains, the *Védas* and their 'extended branches, or *Védángas, Mímánsà, Nyáya,* '*Dherma-sástra, Purànas:*

110. 'A point of law, *before not expressly revealed,* 'which

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'which shall be decided by an assembly of ten such 'virtuous *Bráhmens* under one chief, or, *if ten be 'not procurable*, of three such under one president, 'let no man controvert.

111. 'The assembly of ten under a chief, *either the 'king himself or a judge appointed by him*, must 'consist of three, each of them peculiarly conversant 'with one of the three *Védas*, *of a fourth skilled 'in the Nyáya, and a fifth in the Mímánsà philoso-'phy;* of a sixth, who has particularly studied the '*Niructa;* a seventh, who has applied himself most 'assiduously to the *Dherma-sástra;* and of three *uni-'versal scholars*, who are in the three first orders.

112. 'One, who has chiefly studied the *Rigvéda*, a 'second, who principally knows the *Yajush*, and a 'third best acquainted with the *Sáman*, are the assem-'bly of three under a head, who may remove all 'doubts both in law and casuistry.

113. 'Even the decision of one priest, *if more can-'not be assembled*, who perfectly knows the princi-'ples of the *Védas*, must be considered as law of the 'highest authority; not the opinion of myriads, who 'have no sacred knowledge.

114. 'Many thousands of *Bráhmens* cannot form a 'legal assembly for the decision of contests, if they 'have not performed the duties of a regular student-'ship, are unacquainted with scriptural texts, and 'subsist only by *the name of* their sacerdotal class.

115. 'The

115. 'The sin of that man, to whom dunces, pervaded by the quality of darkness, propound the law, of which they are themselves ignorant, shall pass, increased a hundred-fold, to the wretches who propound it.

116. 'This comprehensive system of duties, the chief cause of ultimate felicity, has been declared to you; and the *Bráhmen*, who never departs from it, shall attain a superiour state above.

117. 'THUS did the all-wise MENU, who possesses extensive dominion, and blazes with heavenly splendour, disclose to me, from his benevolence to mankind, this transcendent system of law, which must be kept devoutly concealed *from persons unfit to receive it.*

118. 'LET every *Bráhmen* with fixed attention consider all nature, both visible and invisible, as existing in the divine spirit; for, when he contemplates the boundless universe existing in the divine spirit, he cannot give his heart to iniquity:

119. 'The divine spirit alone is the whole assemblage of gods; all worlds are seated in the divine spirit; and the divine spirit no doubt produces, *by a chain of causes and effects consistent with free-will*, the connected series of acts performed by imbodied souls.

120. 'He may contemplate the subtil ether in the cavities of his body; the air in his muscular motion

CHAP. XII. 'and sensitive nerves; the supreme *solar and igneous* 'light, in his digestive heat and his visual organs; 'in his corporeal fluids, water; in the terrene parts 'of his fabrick, earth;

121. 'In his heart, the moon; in his auditory 'nerves, the guardians of eight regions; in his pro-'gressive motion, VISHNU; in his muscular force, 'HARA; in his organs of speech, AGNI; in excretion, 'MITRA; in procreation, BRAHMA':

122. 'But he must consider the supreme omnipre-'sent intelligence as the sovereign lord of them all, '*by whose energy alone they exist;* a spirit, *by no* '*means the object of any sense,* which can only be 'conceived by a mind *wholly abstracted from matter,* '*and as it were* slumbering; but which, *for the pur-* '*pose of assisting his meditation,* he may imagine 'more subtil than the finest conceivable essence, and 'more bright than the purest gold.

123. 'Him some adore as transcendently present 'in elementary fire; others, in MENU, lord of crea-'tures, *or an immediate agent in the creation;* some, 'as more distinctly present in INDRA, *regent of the* '*clouds and the atmosphere;* others, in pure air; 'others, as the most High Eternal Spirit.

124. 'It is He, who, pervading all beings in five 'elemental forms, causes them by the gradations of 'birth, growth, and dissolution, to revolve in this 'world, *until they deserve beatitude,* like the wheels of 'a car.

125. 'Thus

125. 'Thus the man, who perceives in his own soul 'the supreme soul present in all creatures, acquires 'equanimity toward them all, and shall be absorbed 'at last in the highest essence, even that of the Al'mighty himself.' CHAP. XII.

126. HERE ended the sacred instructor; and every twice-born man, who, attentively reading this *Mánava Sástra*, promulgated by BHRIGU, shall become habitually virtuous, will attain the beatitude which he seeks.

GENERAL NOTE.

The learned *Hindus* are unanimously of opinion, that many laws enacted by Menu, their oldest reputed legislator, were confined to the three first ages of the world, and have no force in the present age, in which a few of them are certainly obsolete; and they ground their opinion on the following texts, which are collected in a work entitled, *Madana-ratna-pradípa.*

I. Cratu: In the *Cali*-age a son must not be begotten *on a widow* by the brother *of the deceased husband;* nor must a damsel, *once* given away *in marriage,* be given a *second time;* nor must a bull be offered in a sacrifice; nor must a water-pot be carried *by a student in theology.*

II. Vrihaspati: 1. Appointments *of kinsmen to beget children on widows, or married women, when the husbands are deceased or impotent,* are mentioned by the sage Menu, but forbidden by himself with a view to the order of the four ages: no such act can be legally done in this age by any others *than the husband.*

2. In the first and second ages men were endued

with

with true piety and sound knowledge; so *they were* in the third age; but in the fourth, a diminution of their *moral and intellectual* powers was ordained *by their Creator:*

3. Thus were sons of many different sorts made by ancient sages, but such cannot now be adopted by men destitute of those eminent powers.

III. PARA'SARA: 1. A man, *who has held intercourse with a deadly sinner,* must abandon his country in the first age; he must leave his town, in the second; his family, in the third age; but in the fourth he needs only desert the offender.

2. In the first age, he is degraded by mere conversation with a degraded man; in the second, by touching him; in the third, by receiving food from him; but in the fourth, the sinner alone bears his guilt.

IV. NA'RADA: The procreation of a son by a brother *of the deceased,* the slaughter of cattle in the entertainment of a guest, the repast on flesh-meat at funeral obsequies, and the order of a hermit, *are forbidden or obsolete in the fourth age.*

V. *Ádityá purána:* 1. What was a duty in the first age, must not, *in all cases,* be done in the fourth; since, in the *Cali-yuga,* both men and women are addicted to sin:

2. Such

2. Such are a studentship continued for a very long time, and the necessity of carrying a water-pot, marriage with a paternal kinswoman, or with a near maternal relation, and the sacrifice of a bull,

3. Or of a man, or of a horse: and all spirituous liquor, must, in the *Cali*-age, be avoided by twice-born men; so must a second gift of a married young woman, *whose husband has died before consummation*, and the larger portion of an eldest brother, and procreation on a brother's widow or wife.

VI. *Smrĭti:* 1. The appointment of a man to beget a son on the widow of his brother; the gift of a young married woman to another bridegroom, *if her husband should die* while she remains a virgin;

2. The marriage of twice-born men with damsels not of the same class; the slaughter, in a religious war, of *Bráhmens*, who are assailants with intent to kill;

3. Any intercourse with a twice-born man, who has passed the sea in a ship, even though he have performed an expiation; performances of sacrifices for all sorts of men; and *the necessity of* carrying a water-pot;

4. Walking on a pilgrimage till the pilgrim die; and the slaughter of a bull at a sacrifice; the acceptance of spirituous liquor, even at the ceremony called *Sautrámani;*

5. Receiving

5. Receiving what has been licked off, at an oblation to fire, from the pot of clarified butter; entrance into the third order, or that of a hermit, though ordained *for the first ages;*

6. The diminution of crimes in proportion to the religious acts and sacred knowledge *of the offenders;* the rule of expiation for a *Bráhmen* extending to death;

7. The sin of holding any intercourse with sinners; the secret expiation of any great crimes except theft; the slaughter of cattle in honour of eminent guests or of ancestors;

8. The filiation of any but a son legally begotten or given in adoption *by his parents;* the desertion of a lawful wife for any offence less than actual adultery:

9. These *parts of ancient law* were abrogated by wise legislators, as the cases arose at the beginning of the *Cali*-age, with an intent of securing mankind from evil.

On the preceding texts it must be remarked, that none of them, except that of Vrihaspati, are cited by Cullu'ca, who never seems to have considered any other laws of Menu as restrained to the three first ages; that of the *Smrĭti*, or sacred code, is quoted without the name of the legislator; and that the prohibition, in any age, of *self-defence*, even against *Bráhmens*,

Bráhmens, is repugnant to a text of SUMANTU, to the precept and example of CRISHNA himself, according to the *Mahábhárat*, and even to a sentence in the *Véda*, by which every man is commanded *to defend his own life from all* violent aggressors.

NOTES.

CHAP. I.

Verse 15. In Hindu metaphysicks, 'the five perceptions of sense' imply, the sight as referable to the eyes, the hearing to the ears, the scent to the nose, the taste to the tongue, and the touch to the skin. By 'the five organs of sensation' (sense?), are intended the hand, the foot, the voice, the organ of generation, and that of excretion. The commentator identifies what is mentioned here with what is said Chap. II. verses 90 and 91, but the difference in the denominations would lead to a doubt whether the same objects are intended in the two places; for in the latter verses the first class are termed 'organs of sense,' and the second 'organs of action.' Were it not for this interpretation of the passage, Chap. I. verse 15, by the Hindu commentators, I should be inclined to translate the hemistich thus: 'and the five organs of sense, and the five senses gradually.'

In the twelfth chapter and the fiftieth verse, Sir William Jones has mentioned the agreement of the system of theogony and cosmogony of Menu with that of Capila, the reputed founder of the Sánc'hya, or sceptical school of philosophy. The essay given by Mr. Colebrooke on this branch of Hindu metaphysicks, in the first volume of the Transactions of the Royal Asiatic Society, is a real favour to all who take an interest in so important a link between ancient and modern opinions. The notices on the same subject, to be found at the end of Dr. Taylor's translation of the *Prabód'ha-chandródaya*, were too scanty to do more than excite a wish that some one competently versed in the philosophical opinions of Europe and Asia would undertake the task.

While

While that given by the late Mr. Ward in his account of the Hindus, is evidently too hastily prepared to give any, but a general impression of the very curious and interesting documents of ancient Hindu civilization and refined speculation. Neglected as these matters have heretofore been, it must prove highly satisfactory to every Sanscrit scholar that the philosophy of the Hindus has found so able an expositor as Mr. Colebrooke. It is to be hoped, that he will complete what he has so well begun, by affording the world the means of judging of the other schools in which are contained the philosophical speculations of a portion of the human race so anciently civilized as the Hindus; and whose literature is impressed with characteristick features, that are ample pledges of its antiquity and originality.

CHAP. II.

Verse 25. The word 'universe,' has, by an errour of the press, been printed in Italick instead of Roman letters, as it originally stood in Sir W. Jones's works. It may not be uninteresting to observe, that the word *sarva*, employed here to signify the universe, in its original and primary sense implies *all*, or *the whole*. Hence it is employed as an epithet of Siva, as well as of Vishnu, by the worshippers of those Gods, agreeably to the Hindu doctrine, that contemplates the *universal whole* through any one of its multiform parts. In the account given in Enfield's History of Philosophy*, it will be seen that Zarva was the chief of all the Gods among the Persians, and produced the good and evil principles, or Hormisda and Satana. I think, from the evident connexion between the religious systems of the Persians and the Hindus, the identity of the god Zarva and the Sarva of India must be incontestible; and we are thus enabled to take a new and most

* Vol. I. p. 64.

most accurate view of the real nature of the Magian religion. In it we find the same prevailing idea common in all the theogonies of the ancients, namely, the finite nature of their gods, and their subordinate rank, as the personifications or the powers of the *boundless whole*, that is, of *nature*. Moses Chorenensis speaks of the same mythological character under the name of ZEROVAN. Anquetil du Perron in his Zénd Avesta,* likewise mentions ZERVAN, whom he considers as time personified; but the sense of the word *Sarva* or *Sarvam* enables us at once to find a clue to the real nature of 'the chief of all the Gods.' Good and evil were, under this point of view, the inevitable results or offspring of material existence; and the pantheism which saw *God in all*, by the language of personification, made *Sarva*, or *the whole*, the parent of the two principles, which were named HORMISDA and SATANA.

41. *Sana* is both hemp (Cannabis sativa), and Bengal *san*, a plant from which a kind of hemp is prepared, *viz.* crotolaria juncea, and other kinds.

Cshumà, is the linum usitatissimum.

42. *Munja* is a sort of grass (saccharum munja).

Múrvá is a sort of creeper, from the fibres of which bowstrings are made, (Sanseviera zeylanica).

43. *Cusa* is a species of grass used in many solemn and religious observances, hence called sacrificial grass (Poa cynosuroides).

The *Asmántaca* does not occur in the dictionaries.

The *Valvaja* is a sort of grass (saccharum cylindricum).

45. The *Vilva* is a fruit-tree, commonly named *Bél* (Ægle marmelos).

The *Palása* is the Butea frondosa.

The *Vata* is the Ficus Indica.

C'hadira is a tree, the resin of which is used in medicine, *khayar* or catechu (Mimosa catechu).

The *Vénu* is the bamboo, but the text says the *Pílu*, which is either

* Tom. II. 90. *n.* 2.

either the Careya arborea or the Salvadora Persica. It likewise implies the stem of the palm-tree.

The *Udumbara* is the glomerous fig-tree (Ficus glomerata).

87. The learned translator has, in conformity with the view of his commentator, varied in translating the sentence *maitra bráhmena uchyaté*, which occurs again in Chap. XI. v. 35.

99. 'As water flows through one hole of a bottle.' The original is more expressive, and alludes to the custom of carrying water in goat-skins in India. The skin is sewed together again, just as taken off the animal, and one of the feet is left open for the purpose of filling and emptying the skin, which is carried on a man's back; the foot for use being firmly grasped by the hand of the carrier, who thus distributes the water at his pleasure. Hence the passage would be more exactly rendered 'as water from one foot of a skin.'

113. The expression 'should rather die with his learning,' would be more exactly rendered 'should rather willingly die with his learning.'

142. Instead of 'father' the text reads 'brahmen,' but the comment favours Sir W. Jones's translation; yet v. 144 inclines to the latter interpretation.

156. The word *viduh*, which the translator has rendered in the past, is most commonly employed in a present sense, which is required in this verse. See Mr. Wilkins' grammar, page 174, Rule 196.

CHAP. III.

Verse 24. In the original we have *cavayó viduh*, 'poets, *i. e.* legislators consider' and not 'some consider.'

34. 'That sinful marriage' should have been 'that most sinful marriage.'

44. The

44. The word *pratóda* rather implies a goad used to compel oxen, than a whip.

It may be remarked, that there seems to be some difficulty in reconciling the allusion in this verse of a *Súdrà* marrying a priest, when we find the prohibition so strong in verses 13, 14, 15, and 16 of this chapter. The text clearly intends a marriage with a *Bráhmen* by the expression *utcrishté védé* 'in the highest marriages.'

76. I have been particular in marking the words of this verse in Italick letters, as the translation is very paraphrastical. Indeed the original verse, which will be found exactly in the Roman letters, conveys in the latter part the exact germ of the doctrine which has been so ably handled of late by an eminent writer, namely, the dependence of population upon sustenance.

123. The words 'of the *Pitris*,' should follow 'the monthly *sráddha*.'

133. 'Spears' should be included with 'iron balls' as among the number of things to be swallowed in the next world, by the giver of the *sráddha*.

158. It is not the mountain-rue, but the swallow-wort (the Asclepias acida).

261. The word *purastát*, which I find in the MSS. as well as in the Calcutta edition, implies 'before,' therefore we should read 'before the repast,' and not 'after the repast.'

270. Though the learned translator has rendered the word *sasa* by 'rabbits or hares,' yet I think there is a reasonable doubt whether the rabbit came within the contemplation of the lawgiver, as such an interpretation is not given even by the commentator. As far as my experience goes, it is decidedly against the supposition that the rabbit is indigenous in India. The opinion of the natives is clear from their designating them '*wiláyatí khargósh*,' 'Foreign or English hares.' But I have the authority of the two most eminent oriental scholars in

this

this country for the same opinion, and one of them suggests, with great justice, that it may perhaps be found in the mountain districts to the north of India, though it be unknown to the inhabitants of the plains.

272. The potherb *cálasáca* is not found in the dictionaries. The *mahásalka* is the shrimp or prawn.

CHAP IV.

6. The meaning of '*satyánrĭta*,' is 'truth and falsehood,' by which commercial dealings are not unaptly designated; there being necessarily a mixture of both in such transactions.

47. The passage 'on the bank of a river,' would be more exact if rendered 'on reaching the bank of a river.'

49. I have ventured to alter the word 'potherb' into 'potsherd,' which I think must have been the word intended by the translator. The selection of potherbs, for the purpose noticed, carries with it something ridiculous, the sole intention of the injunction being to preserve the earth from contamination. The original passage is '*cásht'ha-lóshta-patra-trĭnádina*,' 'with wood, clods, leaves, grass, and the like.'

52. The words 'in water,' should be inserted, and then the passage will read 'in water or against a twice-born man.'

68. Here, as in v. 44 of Chap. III. the word *pratóda* should be rendered 'goad,' and not 'whip.'

69. 'The sun in the sign *canyá*.' *Canyá*, in its general sense, means a virgin, and here designates the sign Virgo.

74. We should here read, 'let him not himself put off his sandals with his hand.'

82. The verb '*na candúyét*' implies (as coming from the root *candú*, 'itch') 'let him not scratch his head with both hands,' instead of 'let him not stroke, &c.'

90. Among

90. Among the list of places of future punishment here enumerated, I have in the Sanscrit text adopted, on the authority of other MSS. that of '*Lóhaddrica*' or 'iron-pincers,' instead of '*Lóhángárica*' or 'the pit of red hot charcoal,' By 'iron-pincers' I suppose a place of torment where the damned are continually tortured by being torn with iron-pincers.

129. The word 'repeatedly' should be here added, and the passage will then stand 'nor repeatedly with many clothes.'

156. The passage 'such practice gives desirable offspring' has been omitted by the translator, and should immediately follow the first sentence.

168. The same idea that is found in this couplet, will be seen in Chap. XI. v. 208.

230. 'A giver of silver, exquisite beauty.' Beauty has been assigned as the reward for a gift of silver, apparently because it made a sort of pun; *rúpya* implying both silver and beautiful. Similar cases occur throughout the work, in which a play upon words has been allowed, when no solid reason could be assigned for any other allotment of rewards or punishments. In the twelfth chapter many such are to be observed.

243. This verse has not been translated with the same felicity and exactness which distinguish the rest: perhaps it might be rendered more in consonance with the general spirit of the version thus (See v. 167. Chap. II.):

"Yes, verily! Sovereign virtue instantly conducts the man whose sins have been expiated by penance, to the higher world, with a radiant and etherial body."

CHAP.

CHAP. V.

6. The *sélu* is the cordia myxa.

11. The *tittibha* is the Parra jacana or goensis.

12. The *plava*, is both the diver and a sort of duck, (*Wilson*); and Mr. Wilkins considers it the same as the plover.

The *chacravdca* is the ruddy goose, familiarly known in India by the name of Bráhmany duck or goose (Anas casarca).

The *sárasa* is the Indian crane.

The *rajjuvála* is not found in the dictionaries.

The *dátyúha* which Sir William Jones has translated 'woodpecker,' is rendered 'a gallinule' by Mr. Colebrooke in the Amera Cósha, to which Mr. Wilson adds in his Dictionary, 'the *chátaca*, a sort of cuckoo.' The *chátaca* is specified by Mr. Colebrooke to be the cuculus melano-leucus.

It is worthy of remark, that the *sáricá*, which Sir William Jones renders female parrot, is actually a species of jay (gracula religiosa). By a similar connexion, the *sáricá* is fixed upon as a suitable mate for the parrot in the Bengálí 'Tales of a Parrot.' Are we here to suppose, for the purpose of reconciling this apparent inconsistency, that the word *sáricá* is familiarly applied to the female parrot, though unnoticed in such a sense by the dictionaries?

13. The *cóyashtí* is the lapwing.

14. Sir William Jones has omitted to render the *baláca*, which should have been inserted between 'the heron, the raven,' and which Mr. Wilson renders 'a sort of crane.'

The word which Sir William Jones writes *c'hanjana*, as it is given in the comment, is spelt *c'hanjarítaca* in the text. Neither the one or the other is found in the dictionaries.

16. The *pát'hína* is the sheat-fish (Silurus pelorius. Buchannon MSS.).

The

The *róhita* is familiarly known as the róhi-fish (cyprinus denticulatus).

The *rájíva* is a large fish (cyprinus niloticus. *Buchannon.*)

The *sinhatunda* (lion-faced) is not noticed in the dictionaries.

The *sasalká* is likewise unmentioned in the dictionaries; but Cullúca in his comment on the *Mahásalka*, Chap. III. v. 272, identifies these fish with one another: it is therefore the shrimp or prawn.

18. I am happy to be able to quote the words of an eminent orientalist, as explanatory of the proper import of the passage 'the lizard *gódhá*, the *gandaca*.' The first of which, namely, 'the *gódhá*, not being the lizard or iguana.'

"With deference I wish to correct the translation of a verse of Menu relating to this subject. In his interlineary version, Sir William Jones has translated *chadga* rhinoceros, which is the undoubted meaning of the word. I can assign no reason for his substituting the Sanscrit word *gandaca*, which is another name for the rhinoceros. In the same version, Sir William Jones translated *gódhá*, iguana; I am led to understand by that term the *gódhica*, or lacerta gangetica, named *góhí* and *garidl* in the vulgar dialects of Bengal; the iguana is in Sanscrit called *gaud'héra*, *gaud'hara*, *gaud'héya*, and *gód'hicátmaja*, which literally signifies offspring of the lacerta gangetica. May I add, that this species of alligator has been ill-described by European naturalists; and through a strange mistake, has been called the open-bellied crocodile." *A Digest of Hindu Law, translated by H. T. Colebrooke, Esq.* Vol. III. p. 345, *note.*

The interlineary version alluded to by Mr. Colebrooke, was made by Sir William Jones in his own copy of the original text. The reason why Sir William Jones substituted *gandaca* for the original word *chadga*, arose, probably, from that word being adopted by Cullúca in his comment upon the text: a practice repeatedly followed by Sir William Jones; as the commentator

has generally given those terms which are most sanctioned by familiar usage. It must be likewise borne in mind, that at the period when the translation was made, many of the commonest objects of natural history had not been identified with their Sanscrit designations.

The '*rabbit* and hare:' see note on Chap. III. v. 270.

20. The nature of the penance *sántapana* may be seen in v. 213, Chap. XI.

An explanation of the *chandráyana* penance will be found in v. 217 and 218, Chap. XI.

21. The penance *prájápatya* is given in v. 212 of the eleventh chapter.

25. The term *chirastit'ham* 'stale,' which qualifies every article enumerated, has not been rendered by the translator.

63. The translator has followed the comment rather than the text, in translating the last hemistich of this verse, 'but after begetting a child on a *parapúrvá*, he must medidate three days on his impure state.' The text is more general, being 'after any seminal connexion, &c.' For an explanation of *parapúrvá* see v. 163 of this chapter.

66. The translator, in rendering the word *rajas* by 'blood,' has made the legislator adopt a vulgar prejudice to which he was superiour. That word does not mean blood, but, according to the Hindus, the fructifying medium: they apply it equally to the pollen of a flower, or the monthly secretion of a female; both being indispensable to precede production, the one in all vegetable, and the other in the human and in some animal bodies. One of the terms by which this appearance is known in Sanscrit, *viz. pushpa* a flower, will strikingly support the idea of an ancient connexion between the popular opinions of the Gothick and Hindu nations.

71. Every manuscript I have been enabled to consult reads 'one,' and not 'three days of impurity.'

83. The

83. The evident order of progression would be sufficient to point out an errour in the number five. The MSS. all say fifteen, agreeably to which the text has been restored, as there is no doubt the errour is the effect of a mere oversight, perhaps of the printer. This is likewise the opinion of Mr. Colebrooke, *Hindu Digest*, Vol. II. p. 457.

134. The injunction does not apply to *vessels* contaminated, as here mentioned, but to *persons* after performing any of the natural wants. Indeed, the latter part of the injunction clearly shews that *personal* purity was the object of the notice.

CHAP VI.

Verse 14. The *b'hústrína* is a fragant grass (andropogon schœnanthus).

The *sigruca* is a potherb not yet specified, and is not in the dictionaries. It is different from the *sigru*, a tree (morunga guilandina and hyperanthera).

The *sléshmátaca* appears to be the same mentioned by Mr. Wilson under the form *sléshmáta*, a small tree (cordia myxa).

67. The *cataca* is the clearing-nut plant (strychnos potatorum). One of the seeds of the plant being rubbed on the inside of the water-jars used in Bengal, occasions a precipitation of the earthy particles diffused through the water. *Wilson.*

77. Instead of 'the quality of darkness,' we should read 'the quality of passion,' as the original word is *rajaswalam*, 'possessing the quality of passion.'

CHAP. VII.

Verse 3. The learned translator seems to have understood the word *vidruté* as in the present tense of the middle voice, instead of being the prefect participle employed in the ablative absolute to agree with *lóké*, 'on (this) world.' Perhaps the following will be a more literal interpretation of the verse, which is curious, as shewing the ancient opinion of the Hindus as to the origin of sovereignty :

"Since this world, on being destitute of a king, quaked on all sides, therefore the Lord created a king, for the maintenance of this system (*locomotive and stationary*)."

111. The words 'ere long' should be read before 'deprived,' and the passage will then stand '(will) be ere long deprived both of his kingdom and life.'

118. Wherever wood is mentioned here, it is always for the purpose of fuel. The original word, *indhana*, means fuel: *i. e.* wood, grass, &c. used for that purpose.

119. There appears to be an errour here; for the text states that the 'lord of twenty' is to have five *cula*, each *cula* consisting of two ploughed lands; therefore, as the lord of ten villages is to enjoy the produce of two ploughed lands, the lord of twenty villages should have that of *ten* and not five ploughed lands.

126. Though the errour of the legislator, in assigning a specifick sum of money as a remuneration of service, is similar to what our own institutions afford many examples, yet it could not have been attended with so many disadvantages in India as with us, even had the specification been for other servants besides those of a king; firstly, because even for a long course of ages there seems to have been but little variation in the value of exchangeable produce; and secondly, because the wages were to be accompanied with a certain quantity of grain, apparently sufficient for the servant's maintenance.

One

One *pana* of copper is at present the equivalent of eighty *cowries*, and appears to be the original of the *fanam* now in current use at Madras. In Chap. VIII. v. 136, it is laid down that a *cárshápana* weighs eighty *racticás*. The *ractica* is the seed of the abrus precatorius, and weighs one grain five-sixteenths. The commentator considers the *cárshápana* and the *pana* as equal or equivalent to one another.

A *dróna* implies two different measures at the present day: its capacity is either one or four *ád'haca*. Now to determine which of these is meant we must be guided by the quantity. An *ád'haca* is a measure of grain, weighing seven pounds, eleven ounces avoirdupois. This would be clearly insufficient to sustain a man and his family during a month; and we must therefore suppose, if either of the present assignable quantities were those contemplated by the legislator, that it must be the larger one, containing thirty pounds, twelve ounces avoirdupois. As rice is mentioned in the text, it would support more persons than could be effected by any other grain; yet still it seems, if we have the right capacity of the *dróna*, but very poor pay to allow even the lowest servant of a king but little better than one pound of rice each day. I cannot help thinking, therefore, that the *dróna* must have been larger in ancient times than either of the two measures already specified. It is likewise to be remembered, that the *pana* which was to accompany it, would hardly have been sufficient to have purchased the necessary condiments that must be eaten with the rice, to make it either wholesome or nutritious.

Since writing the foregoing remarks, I find that Mr. Carey in his *Bengáli* Dictionary, states that the *ád'haca* varies in capacity, but is considered to be equal to two *mans* in the neighbourhood of Calcutta. The bazar *man* being equal to eighty pounds, the *dróna* would consequently contain six hundred and forty pounds, if it consisted of four such *ád'haca*; and would be equivalent to about twenty-one pounds of rice per diem. In the Indian Algebra, translated by

by Mr. Colebrooke (page 3), it is stated that a *c'hári* of *Magad'ha*, contains a solid cubick foot, and that a *dróna* is the fourth part of a *c'hári*. All that can be learnt from these clashing authorities, is the uncertainty of the real capacity of the *dróna* in ancient times.

195. By wood is meant fuel. See note on v. 118 of this chapter.

202. The words 'and his nobles' should have followed 'the new prince;' we must therefore read, 'and let him gratify the new prince and his nobles with gems, and other precious gifts.'

CHAP. VIII.

Verse 77. The words 'even' and 'pure' are omitted here; and the passage will accordingly read, 'and will have more weight than even many pure women.'

156. Considerable difficulty attends the interpretation of this verse. Sir William Jones renders *chacravridd'hi* 'safe carriage.' The word has been before used in these Institutes in the sense of compound interest, which is its usual import. Mr. Colebrooke, in his translation of the DIGEST, gives a gloss of CHANDÉSWARA as well as that of CULLÚCA: both are here subjoined.

" 'Who has agreed on the place and time,' is thus expounded on the authority of CHANDÉSWARA: the debtor says, 'I will pay the debt at such a place, and at such a time;' and the creditor assents to that proposal. Such a creditor is a lender at wheel-interest (compound interest), having bargained for interest of that description. If he pass that place and time, if he do not go to that place at that time, the creditor shall not receive such interest, namely, wheel-interest: of course he must receive back the sum lent without interest. Hence, even should interest prescribed by the law be stipulated for a certain time and place, it shall not be received by the creditor if he do not attend at that

that place and time: for that small omission annuls legal interest.

"But CULLÚCA BHATTA expounds the text otherwise: the term 'wheel' denotes the use of a wheel-carriage, or the like. A lender who has accepted that by way of interest, and has agreed on the place and time; for instance, *he has agreed*, that 'a journey to *Váránasí*, or the use of a carriage for the year, shall be the only interest:' in such a case, if the debtor fail in time and place, if he do not carry *goods* to *Váránasí*, or do not carry *goods* during the year, he shall receive the benefit, that is, the whole hire of the carriage: consequently, the whole interest is undischarged."* *Hindu Digest*, Vol. I. p. 361.

193. The word 'publickly' should be inserted in the last clause of this verse, and the passage will then read, 'be publickly punished by various degrees of *whipping or mutilation, or even by death*.'

234. The word *róchaná*, which the translator interprets 'the liquor exuding from their foreheads,' may be equally rendered 'the concrete bile of the cow,' which is used as a yellow pigment.

246. Instead of the names which occur in the text, the translator has substituted in some instances the more familiar Sanscrit terms by which they are generally known. Thus, for *nyagródh'ha*, he has given *vata*: both imply the ficus Indica. And for *aswatt'ha*, he writes *pippala*: they are the same tree, *viz.* ficus religiosa. The *palása* is likewise substituted for the *cinsuca*, a tree bearing beautiful red blossoms, and hence often alluded to by the poets: they are both known as butea frondosa.

The *sálmalí* is the silk-cotton tree (bambu heptaphyllium).

The *sála* is the shorea robusta.

By

* Note on the above by Mr. Colebrooke. "The translation (of the text) which I quote unaltered, varies from both comments."

By the *tála* is most probably meant the palmyra-tree, or fan-palm (borassus flabelliformis). It likewise implies a species of the mountain palm (corypha taliera).

Of the two names brought in from the comment as abounding in milk, the first or *udumbara* is the glomerous fig-tree (ficus glomerata), and the second or *vajradru* implies the various species of euphorbia.

247. By *vénu* are intended all the varieties of the bamboo.

Sami is the name for two plants; *viz.* the sami-tree or mimosa suma, and a shrub (serratula anthelmintica).

The *sara* is a sort of reed or grass (saccharum sara).

In Mr. Wilson's Dictionary the *cubjaca* is mentioned as an aquatick plant (trapa bispinosa), this is not therefore likely to be the one alluded to in this verse; and we may therefore suppose it is the same as the *cubja* (achyranthes aspera). The attributive affix *ca* being often subjoined at pleasure.

268. There is a mistake in the number 'five hundred,' which is out of all proportion when compared with the other fines: all the MSS. state 'fifty.' The mistake is easily accounted for, by remembering how very similar the word *panchasat* is to *panchásat*, there being but the difference of a long and short vowel between them.

289. The words 'flowers, roots, and fruits,' have been omitted in the translation, and should have followed the words 'wood or clay.'

299. In opposition to the *dictum* of the lawgiver, I feel happy in borrowing a note of Mr. Colebrooke's on this very verse. "May I quote a maxim of no less authority? *Setáparádhair anitám pushpénápi ne tád'yét;* strike not, even with a blossom, a wife guilty of a hundred faults." *Hindu Digest*, Vol. II. p. 209.

359. Instead of 'a man of the servile class,' the text reads '(a man) not a brahmen.' The translator has followed CULLÚCA's comment.

375—

375—377. I think the employment of the word 'priestess' hardly admissable, as nothing more is intended by the word *bráhmeni* than a female *bráhmen*, or the wife of a *bráhmen*. By the word priestess I am led to understand a female constituted to direct or perform the offices of religion. By a reference to v. 18, Chap. IX. it will be seen that women can have nothing to do with the offices of religion. See likewise v. 155, Chap. V.

CHAP. IX.

Verse 108. I am supported by Mr. Colebrooke's authority in reading the first hemistich of this verse, 'As a father should support his sons, so let the first-born *support* his younger brothers,' &c. Mr. Colebrooke thinks that Sir William Jones must have read *pitaiva* instead of *pitéva*.

242. The translator has followed the commentator, in reading 'shall be corporally or even capitally punished, *according to circumstances*.' The original simply decrees banishment as the punishment of the crime specified in the preceding verses.

CHAP. XI.

Verse 25. The *bhása* is explained to be a vulture, and not a kite, by Mr. Wilson.

49. The colour *syáva* has been before rendered 'black-yellow' by the translator in v. 153, Chap. III.: here he simply translates it 'black.' It is a matter of little or no consequence, but the colour is generally interpreted brown. In MENU it is only employed to describe the teeth.

90. Instead of 'this is no expiation,' the original reads 'no expiation is decreed,' &c.

 136. It

136. It has just been remarked in the note on v. 25, that *bhása* is rendered vulture by Mr. Wilson.

Instead of 'if priests have accepted any property from base hands,' we should read 'if priests have acquired any property by infamous actions.'

260. The mss. state that the sinner should plunge 'thrice a day,' and not 'twice a day,' as perhaps was in Sir William Jones's copy, which he seems to have followed.

CHAP. XII.

The variations from the text in this chapter of the translator's version consist more in amplifications, owing to the translator having followed the comment, and not so much in any verbal differences. It will be evident, therefore, that no notice could be given of them that would not have swelled these remarks beyond the space they were intended to occupy. It will be sufficient for the mere English reader to know, that the general sense of the original has been faithfully rendered by the translator.

THE END.

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ERRATA.

Page 44	line 26	*for*	cow	*read*	a cow
— 214	—	9 —	his,	—	' his
— 223	—	24 —	*wit*	—	*with*

